



Rent Stabilization Board

**RENT STABILIZATION BOARD**  
**Regular Meeting**  
**Thursday, May 19, 2022**  
**7:00 p.m.**

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

Pursuant to Government Code Section 54953(e)(3), City Council Resolution 70,030-N.S., and City of Berkeley Rent Stabilization Board (Rent Board) Resolution 21-29, this meeting of the **Rent Board** will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Resolutions and the findings contained therein that the spread of COVID-19 continues to be a threat to the public health and that holding meetings of City legislative bodies in person would present imminent risks to the health and safety of the public and members of legislative bodies. **Therefore, 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/82402468719?pwd=bHBCS0xkRUN3R2xFdmJPYVVGtWNkZz09>. 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: 824 0246 8719 and Passcode: 437465. 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](mailto: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 DéSeana Williams, 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, May 19, 2022**  
**7:00 p.m.**

<b>AGENDA</b>
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\*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. **Land Acknowledgment Statement**: The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley’s landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley’s incorporation in 1878 and since the Rent Stabilization Board’s creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.
  
3. **Introduction of recently-hired Rent Board staff** – 5 min.\*
  
4. **Approval of Agenda** – 1 min.\*
  
5. **Public Comment** – 2 min. per speaker for *non*-agendized items\*
  
6. **Public Comment** – 2 min. per speaker for items on the agenda\*
  
7. **CONSENT ITEMS** – 1 min.\*
  - a. Approval of the April 21, 2022 regular meeting minutes
  - b. Proposal to approve staff recommendations on the following requests for waivers of late registration penalties (Executive Director/Registration Unit staff)

**Ministerial Waivers**

<u>Waiver No.</u>	<u>Property Address</u>
N/A	2535 RIDGE ROAD # A
N/A	2 PANORAMIC # 203

N/A	1116 PARKER ST
N/A	2627 FULTON AVE

**Discretionary Waivers**

<u>Waiver No.</u>	<u>Property Address</u>
5022	1706 DERBY STR
5023	1524 HEARST AVE
5024	1192 CARRISON ST

**8. APPEAL – 7:30 p.m.\*\***

*\*\*This appeal will not be heard before 7:30 p.m. but may be heard any time thereafter.*

Case No. L-4343 (2116 - 2118 Roosevelt Avenue)

Landlord appeals a hearing decision dismissing a petition seeking rent ceiling increases for capital improvements. The hearing examiner found that the work performed did not meet the specific definition of work eligible for capital improvement passthrough permissible under Regulation 1267. On appeal, the landlord argues that significant aspects of the project improved the seismic safety of the property and thus qualifies as a capital improvement under Regulation 1267(C)(2), and the Board should therefore authorize passthrough of the costs for the work performed. A review of the record and analysis of relevant Board precedent and case law, however, establishes that the hearing examiner correctly ruled on the issue, as the work did not qualify for a passthrough under Regulation 1267. For this reason, legal staff recommends that the Board affirm the hearing examiner’s decision to dismiss the petition.

**9. ACTION ITEMS**

*from Board Members, Committees, Executive Director or Staff*

**Public comment will also be heard prior to the Board’s vote on each action item listed below – 1 min. per speaker.**

- a. Recommendation to adopt Resolution 22-11 to authorize the Executive Director to enter into a contract not to exceed \$77,246 with The Social Science Research Center at California State University Fullerton to conduct the Board’s Tenant Survey (Outreach Committee & Executive Director) – 10 min.\*

**10. INFORMATION, ANNOUNCEMENTS AND ARTICLES/MEDIA**

*from Board Members, Committees, Executive Director or Staff*

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

- a. City of Berkeley Rental Assistance update – *Verbal* (Executive Director) – 3 min.\*
- b. Update on the May 9, 2022 “Fair Chance Access to Housing” webinar presented by the Berkeley Property Owners Association, Just Cities, and the Rent Board – *Verbal*

(Executive Director) – 2 min.\*

- c. May 4, 2022 Housing Element Update from the Planning Commission (Executive Director) – 1 min.\*
- d. Rent Board’s participation in the May 20, 2022 “Rent Stabilization: Lessons Learned from Implementing Rent Stabilization Policies” webinar (Minneapolis/St. Paul) from 9:00 a.m - 11:00 a.m. Pacific Time – *Verbal* (General Counsel) – 2 min.\*
- e. May 3, 2022 *KTVU.com* article by Alexa Mae Asperin titled, “California launches new program for first-time homebuyers” (Commissioner Kelley) – 1 min.\*  
<https://www.ktvu.com/news/california-launches-new-program-for-first-time-homebuyers>
- f. Date to submit agenda topics/items for June’s regular Rent Board meeting: **Monday, June 6<sup>th</sup> at 5:00 p.m.** NOTE: This is a hard deadline and will be enforced.

## **11. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS**

- a. Budget and Personnel Committee (Commissioner Chang, Chair) – 5 min.\*  
Next regularly-scheduled meeting: Tuesday, May 17<sup>th</sup> at 5:00 p.m.

May 17<sup>th</sup> agenda

- b. Eviction/Section 8/Foreclosure Committee (Commissioner Mendonca, Chair) – 5 min.\*  
Next regularly-scheduled meeting: Thursday, June 23<sup>rd</sup> at 5:30 p.m.

April 28<sup>th</sup> agenda

- c. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Commissioner Kelley, Chair) – 5 min.\*  
Next regularly-scheduled meeting: TBA

- d. Outreach Committee (Commissioner Laverde, Chair) – 5 min.\*  
Next regularly-scheduled meeting: Wednesday, May 18<sup>th</sup> at 5:15 p.m.

May 18<sup>th</sup> agenda

- e. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Chair TBA) – 3 min.\*  
Regularly-scheduled meeting date: TBA

- f. 4 x 4 Joint Committee on Housing: City Council/Rent Board – 5 min.\*  
(Mayor Arreguín and Chair Simon-Weisberg, Committee Co-Chairs)  
Next regularly-scheduled meeting: Monday, June 22<sup>nd</sup> at 3:00 p.m.

May 3<sup>rd</sup> agenda packet

- g. Ad Hoc Committee on Rent Board Technology Issues (Commissioner Selawsky, Chair) – 3 min.\*  
Next meeting date: TBA
- h. Ad Hoc Committee on the Status of Virtual Meetings (Chair TBA) – 3 min.\*  
Next meeting date: TBA
- i. Updates and Announcements – 3 min.\*
- j. Discussion of items for possible placement on future agenda – 5 min.\*

## 12. 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.



**RENT STABILIZATION BOARD**  
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**RENT STABILIZATION BOARD**  
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**Thursday, April 21, 2022**  
**7:00 p.m.**

**Minutes – *To Be Approved***

1. **Roll call** – The Chair called the meeting to order at 7:03 p.m.  
Aimee Mueller called roll.  
Commissioners present: Alpert, Chang (logged on at 7:42 p.m.) Johnson, Kelley, Laverde (logged on at 7:05 p.m.), Mendonca, Selawsky, Walker, Simon-Weisberg  
Absent: None  
Staff present: Brown, Bursell, Dahl, Mueller, Siegel, Williams
  
2. **Land Acknowledgment Statement**: The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley’s landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley’s incorporation in 1878 and since the Rent Stabilization Board’s creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.

The land acknowledgement statement was played aloud.

3. **Introduction of recently-hired Rent Board staff** – Public Information Unit Manager Nate Dahl introduced himself and shared his background.
  
4. **Approval of Agenda**  
  
M/S/C (Kelley/Alpert) APPROVE THE AGENDA WITH THE FOLLOWING CHANGES:  
MOVE ACTION ITEMS 8.a., 8.b., 8.c. AND 8.d. TO CONSENT. Roll call vote.  
YES: Alpert, Johnson, Kelley, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg;  
NO: None; ABSTAIN: None; ABSENT: Chang. Carried: 8-0-0-1.
  
5. **Public Comment** – *non*-agendized items. There were no speakers.
  
6. **Public Comment** – items on the agenda. There were no speakers.

7. **CONSENT ITEMS**

*Items 8.a., 8.b., 8.c. and 8.d. were moved to Consent by a prior vote of the Board.*

- a. Approval of the March 17, 2022 regular meeting minutes
- b. Approval of the April 11, 2022 special meeting minutes
- c. Proposal to approve staff recommendations on the following requests for waivers of late registration penalties (Executive Director/Registration Unit staff)

**Ministerial Waivers**

<u>Waiver No.</u>	<u>Property Address</u>
--	900 BANCROFT WAY
--	2016 9th ST
--	3028 DEAKIN ST
--	1402/1398 CURTIS ST
--	1909 9TH ST
--	1301 BONITA AVE UNIT 1

**Discretionary Waivers**

<u>Waiver No.</u>	<u>Property Address</u>
None	1513 WOOLSEY ST
5021	1235 CARRISON ST

M/S/C (Selawsky/Johnson) APPROVE ALL CONSENT ITEMS, INCLUDING ITEMS 8.a., 8.b., 8.c. AND 8.d. AS WRITTEN. Roll call vote. YES: Alpert, Johnson, Kelley, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Chang. Carried: 8-0-0-1.

8. **ACTION ITEMS**

*from Board Members, Committees, Executive Director or Staff*

**Public comment will also be heard prior to the Board's vote on each action item listed below – 1 min. per speaker.**

- a. Recommendation to adopt Resolution 22-06 setting the Annual Registration Fee for fully-covered rental units for Fiscal Year (FY) 2022-2023, due on July 1, 2022 (Budget & Personnel Committee) – MOVED TO CONSENT BY AN EARLIER VOTE OF THE BOARD.
- b. Recommendation to adopt Resolutions 22-07 and 22-08 setting the Annual Registration Fee for rental units subject to Measure MM registration requirements for FY 2022-2023, and setting a lower per-unit Annual Registration Fee for Measure MM units in affordable housing projects, both due on July 1, 2022 (Budget & Personnel



Committee) – MOVED TO CONSENT BY AN EARLIER VOTE OF THE BOARD.

- c. Recommendation to adopt Resolution 22-09 setting the Summer Rental Registration Fee for qualifying sororities and fraternities (Budget & Personnel Committee) – MOVED TO CONSENT BY AN EARLIER VOTE OF THE BOARD.
- d. Recommendation to adopt Resolution 22-10 authorizing the pass-through of a portion of the FY 2022-2023 Annual Registration Fee for fully-covered rental units to certain tenants (Budget & Personnel Committee) – MOVED TO CONSENT BY AN EARLIER VOTE OF THE BOARD.

**9. INFORMATION, ANNOUNCEMENTS AND ARTICLES/MEDIA**

*from Board Members, Committees, Executive Director or Staff*

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

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

- a. Update on remote meeting possibilities for future public meetings – *Verbal* (General Counsel) – General Counsel Brown updated the Board on the status of legislation related to public meetings held during the COVID-19 State of Emergency, as well as Council’s actions and the Board’s options.
- b. Update on City Manager’s communication regarding more staff returning to onsite work the week of May 9, 2022 – *Verbal* (Executive Director) – Executive Director Williams updated the Board on preparations for more staff returning to the office on May 9<sup>th</sup>.
- c. Update on the City’s Website Reinvention Project timeline and the Rent Board’s content migration – *Verbal* (Executive Director/Board Secretary) – The Board Secretary informed the Board that April 29<sup>th</sup> launch date for the City’s new website appears to be firm. Until the new site launches, Rent Board staff will be maintaining the current site and the new site on two different platforms.
- d. Copy of March 21, 2022 Compliance Notice mailing to owners of selected Measure MM units (Executive Director)
- e. Copy of April 11, 2022 letter conveying the Board’s position on Assembly Bill 2386 (Bloom) Planning and zoning: tenancy in common subject to an exclusive occupancy agreement (Chair Simon-Weisberg)
- f. Copy of April 11, 2022 letter conveying the Board’s position on Assembly Bill 2469 (Wicks) Housing: Statewide Rental Registry (Chair Simon-Weisberg)

- g. Commissioner attendance at Board and Committee meetings updated through the 1<sup>st</sup> quarter of 2022 (Board Secretary)
- h. Date to submit agenda topics/items for May's regular Rent Board meeting: **Monday, May 9<sup>th</sup> at 5:00 p.m.** NOTE: This is a hard deadline and will be enforced.

## **10. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS**

- a. Budget and Personnel Committee (Commissioner Chang, Chair) – Committee Chair Chang said the Committee has worked on setting registration fees and staffing.

Next regularly-scheduled meeting: Tuesday, May 10<sup>th</sup> at 5:00 p.m.

March 29<sup>th</sup> agenda

- b. Eviction/Section 8/Foreclosure Committee (Commissioner Mendonca, Chair) – Committee Chair Mendonca said Anne Omura of the Eviction Defense Center (EDC) gave the Committee an update on the status of eviction cases. The Committee would like EDC and the East Bay Community Law Center to present to the full Board.

Next regularly-scheduled meeting: Thursday, April 28<sup>th</sup> at 5:30 p.m.

March 24<sup>th</sup> agenda

- c. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Commissioner Kelley, Chair) – Committee Chair Kelley said that most of the Committee's work has already come before the Board. There may be additional items related to amendments to the Rent Ordinance.

Next regularly-scheduled meeting: TBA

- d. Outreach Committee (Commissioner Laverde, Chair) – Committee Chair Laverde reported the Committee discussed social media and the status of the tenant survey.

Next regularly-scheduled meeting: Wednesday, April 20<sup>th</sup> at 5:15 p.m.

April 20<sup>th</sup> agenda

- e. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Chair TBA)

Regularly-scheduled meeting date: TBA

- f. 4 x 4 Joint Committee on Housing: City Council/Rent Board – Chair Simon-Weisberg reported on the Committee's actions regarding the Demolition Ordinance. (Mayor Arreguín and Chair Simon-Weisberg, Committee Co-Chairs)

Next regularly-scheduled meeting: Monday, April 18<sup>th</sup> at 3:00 p.m.

April 18<sup>th</sup> agenda packet

- g. Ad Hoc Committee on Rent Board Technology Issues (Commissioner Selawsky, Chair)  
Next meeting date: TBA
- h. Ad Hoc Committee on the Status of Virtual Meetings (Chair TBA)  
Next meeting date: TBA
- i. Updates and Announcements – Commissioners announced the following: May 9<sup>th</sup> Fair Chance Ordinance Webinar for Housing Providers; Friends of Adeline are sponsoring the “Health is Wealth” Fair at this Saturday’s Ashby Flea Market where the month’s theme is housing.
- j. Discussion of items for possible placement on future agenda

## 11. ADJOURNMENT

M/S/C (Laverde/Mendonca) ADJOURN IN HONOR OF THE HISTORIC APPOINTMENT OF KETANJI BROWN JACKSON TO THE SUPREME COURT. Roll call vote.

YES: Alpert, Chang, Johnson, Kelley, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

The meeting adjourned at 8:16 p.m.



Rent Stabilization Board

## RENT STABILIZATION BOARD

DATE: May 19, 2022

TO: Honorable Members of the Rent Stabilization Board

FROM: DeSeana Williams, Executive Director

BY: Amanda Eberhart, Registration Unit Manager

SUBJECT: Request for waiver of late registration penalties

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### **Recommendation:**

That the Board approve the attached recommendations.

### **Background and Need For Rent Stabilization Board Action:**

The Board's penalty waiver process is governed by Regulations 883, 884 and 885. Regulation 883 lists the grounds for administrative waivers. In accordance with Regulation 884, the Executive Director reviews waiver requests that do not meet the criteria for an administrative waiver. Regulation 884 lists 12 categories, which will require a review of the totality of the circumstances by the full Board prior to granting any waiver request. Waivers that require a review of the totality of the circumstances are listed below as "Discretionary Waiver." If none of the 12 listed categories apply to the property, the waiver shall be granted/denied in a ministerial manner, based upon the formula outlined in Regulation 884(C). The Board may only alter these ministerial waivers if staff has incorrectly applied the criteria listed in Regulation 884 (B)(1-12).

**Ministerial Waivers**

In accordance with Regulation 884, the Executive Director reviews waiver requests that do not meet the criteria enumerated in Regulation 883. The following waiver request will be decided ministerially, unless the Board has reason to believe the underlying basis of the recommended assessment is inappropriate.

Waiver	Property Address	Owner	Penalty Assessed	Penalty Waived	Penalty Imposed
	2535 RIDGE ROAD # A	YAN ZHOU	\$300	\$300	\$0.00
	2 PANORAMIC # 203	BRADLEY LOUIE	\$300	\$300	\$0.00
	1116 PARKER ST	MIL-TECHS, INC.	\$1,000	\$0.00	\$1,000
	2627 FULTON AVE	SURFSIDE RENTAL PROPERTIES II, LLC	\$3,000	\$0.00	\$3,000
<b>TOTAL</b>			<b>\$4,600</b>	<b>\$600</b>	<b>\$4,000</b>

**Financial Impact: Ministerial Waivers**

Approval of Acting Executive Director’s recommendations will decrease the Board’s current accounts receivable by **\$600**.

**Discretionary Waivers**

For the waiver requests listed below, staff recommendations are attached and presented to the full Board for its approval. With respect to these cases, the determination of good cause to waive some or all of the penalties depends on the totality of the circumstances.

Waiver	Property Address	Owner	Penalty Assessed	Penalty Waived	Penalty Imposed
5022	1706 DERBY STR	JS ZONIS TRUST	\$1,500	\$0.00	\$1,500
5023	1524 HEARST AVE	TAKASHI OKAZKI	\$300	\$300	\$0.00
5024	1192 CARRISON ST	MUSHIRA EL BARDAI	\$1,000	\$1,000	\$0.00
<b>TOTAL</b>			<b>\$2,800</b>	<b>\$1,300</b>	<b>\$1,500</b>

**Financial Impact: Discretionary Waivers**

Approval of Acting Executive Director’s recommendations will decrease the Board’s current accounts receivable by **\$1,300**.

**Name and Telephone Number of Contact Person:**

DeSeana Williams, Executive Director  
Rent Stabilization Board  
2125 Milvia Street, Berkeley, CA 94704  
(510) 981-7368

**City Of Berkeley  
Rent Stabilization Board**

**Recommendation on Requested Waiver of Registration Penalties**

<b>Waiver No:</b> W5022	<b>Property address:</b> 1706 DERBY ST BERKELEY	<b>Transferred:</b> 04/08/2022
<b>Exempt units (as of February 2021):</b> Unit # NA - OCCC - Owner		
<b>Owner(s):</b> ZONIS J S FAMILY TRUST	<b>Waiver filed by:</b> OWNER	<b># of Units:</b> 2
<b>Other Berkeley rental property owned:</b> None		

**Late payment/penalty history:** The property comprises of 2 rented units. The previous owner took ownership of the property in July 2005. They paid the 2021/22 registration fee on April 11, 2022. The owner was late paying the 2020/21 registration fee.

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
2020/21	2	\$500.00	04/11/2022	\$1,000.00	\$0.00	\$0.00
2021/22	1	\$250.00	04/11/2022	\$500.00	\$0.00	\$0.00
<b>Totals (penalties previously assessed)</b>				<b>\$1,500.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**Penalties Currently Under Consideration**

**Reason for Penalties:** LATE PAYMENT OF REGISTRATION FEE FOR FY2020/21 & FY2021/22

Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
2021/22	1	\$250.00	04/11/2022	\$500.00	\$0.00	\$500.00
2020/21	2	\$500.00	04/11/2022	\$1,000.00	\$0.00	\$1,000.00
<b>Totals</b>				<b>\$1,500.00</b>	<b>\$0.00</b>	<b>\$1,500.00</b>

**Grounds under Regulation 884(B):** (10) The landlord has paid late each year for the prior five years

**Good cause claimed by owner:** The owner states that they did not know about the requirement to pay a prorated registration fee on a previously exempt unit. The owner stated that this penalty is a "sham" and asked if we are happy now, after paying the penalty in full.

**Recommendation:** Staff recommends the waiver be denied.

**Staff Analysis:** Staff notes that the owner did not reach out to the Rent Board upon receiving an invoice

once the status of a unit changed. Had the owner reached out to the Rent Board earlier, they probably could have avoided accruing the penalties. As a landlord in a rent control city, the owner has an obligation to know the registration requirements of the Rent Ordinance. Therefore, staff recommends the waiver be denied.



4-29-22  
PER TYLER DUNCAN  
W5022

RECEIVED

MAY 09 2022

CITY OF BERKELEY  
RENT STABILIZATION PROGRAM  
2125 Milvia Street, Berkeley, CA 94704  
PHONE: (510) 981-7368 • FAX: (510) 981-4910  
WEB: <https://www.cityofberkeley.info/rent/>

Initial: \_\_\_\_\_  
Berkeley Rent Board

**Request for Waiver of Late Registration Penalties**  
*Please Read Important Information on Page 2*

Property Address: 1706 Derby St Berkeley, CA 94703

Owner: JS Zonis Trust Leah J Zonis Trust Amy Lou Zonis Trust

Date of acquisition, if new owner: \_\_\_\_\_

Name & relationship of person filing request, if not owner: \_\_\_\_\_

If, after reading the information on Page 2, you believe that you are entitled to a waiver of some or all of your late registration penalties, use the space below to explain why. Attach evidence, where possible, to document an extenuating circumstance that prevented timely payment, such as hospitalization or death in the family. It is your responsibility to convince the Board that your waiver should be granted, so state all facts and circumstances that support your case. **Please print or type clearly.** Attach an additional sheet of paper if needed.

We didn't know about the requirement to pay a prorated registration fee on a previously exempt unit.

THIS PENALTY IS A SHAM

ARE YOU HAPPY NOW?

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

Date: 4-8-22 Signature: [Signature]

The information entered below **must be clearly printed or typed** in order to receive the Executive Director's recommendation to the Rent Board on your penalty waiver request one week prior to the Board's consideration of your request at its monthly meeting. The recommendation will also include the date, time and location of the meeting should you choose to attend and address the Commissioners.

Email Address: janszee@gmail.com

Mailing Address: 1385 Brinkley Ave Los Angeles, CA 90049

Phone Number: 310-488-3209 Fax Number: N/A

Please see Communications Disclaimer on Page 2 that applies to any personal information you provide.

CITY OF BERKELEY  
RENT STABILIZATION PROGRAM  
2125 Milvia Street, Berkeley, CA 94704  
PHONE: (510) 981-7368 • FAX: (510) 981-4910  
WEB: <https://www.cityofberkeley.info/rent/>

RECEIVED

APR 11 2022

Initial: \_\_\_\_\_  
Berkeley Rent Board

**Request for Waiver of Late Registration Penalties**

*Please Read Important Information on Page 2*

Property Address: 1706 Derby St Berkeley, Ca 94703

Owner: JS Zonis Trust Leah J Zonis Trust Amy Lou Zonis Trust

Date of acquisition, if new owner: \_\_\_\_\_

Name & relationship of person filing request, if not owner: \_\_\_\_\_

If, after reading the information on Page 2, you believe that you are entitled to a waiver of some or all of your late registration penalties, use the space below to explain why. Attach evidence, where possible, to document an extenuating circumstance that prevented timely payment, such as hospitalization or death in the family. It is your responsibility to convince the Board that your waiver should be granted, so state all facts and circumstances that support your case. **Please print or type clearly.** Attach an additional sheet of paper if needed.

We didn't know about the requirement to pay a prorated registration fee on a previously exempt unit.

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

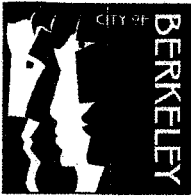
Date: 4-8-22 Signature: 

The information entered below **must be clearly printed or typed** in order to receive the Executive Director's recommendation to the Rent Board on your penalty waiver request one week prior to the Board's consideration of your request at its monthly meeting. The recommendation will also include the date, time and location of the meeting should you choose to attend and address the Commissioners.

Email Address: janszee@gmail.com

Mailing Address: 1385 Brinkley Ave Los Angeles, CA 90049

Phone Number: 310-488-3209 Fax Number: N/A



**Rent Stabilization Board**

April 1, 2022

Janet & Jerome Zonis  
1385 Brinkley Ave.  
Los Angeles, CA 90049

**Re: 1706 Derby St./Registration Status**

Dear Mr. & Ms. Zonis:

It has recently come to our attention that the unit designated as 1706 Derby St., while currently vacant, was previously rented from May 2018 through January of this year. While registration fees have been paid for these years for the other unit located at 1704 Derby St., 1706 Derby St. has not been registered with our office.

Enclosed is a bill which covers the past three years of registration fees and penalties for this unit. In addition, I am enclosing a Unit Status Form. On this form you should let us know that 1706 Derby St. is now vacant and has been as of January 2022.

I am also enclosing a Request for Waiver of Rent Registration Penalties for you to fill should you seek a waiver of the \$1,500 in penalties. Please note that in order to submit the waiver request, the fees of \$750 must be paid.

While I am writing you this letter, please direct your payment and/or any questions regarding this letter or your account to our Registration Department. They may be reached at (510) 981-7368.

Sincerely,

Matthew Siegel  
Staff Attorney  
Berkeley Rent Stabilization Program

enc.

**City Of Berkeley  
Rent Stabilization Board**

**Recommendation on Requested Waiver of Registration Penalties**

<b>Waiver No:</b> W5023	<b>Property address:</b> 1524 HEARST AVE	<b>Transferred:</b> 01/01/2000
<b>Exempt units (as of February 2021):</b> None		
<b>Owner(s):</b> SUZIE & TAKASHI OKAZAKI	<b>Waiver filed by:</b> OWNER	<b># of Units:</b> 1
<b>Other Berkeley rental property owned:</b> None		

**Late payment/penalty history:** Prior to fiscal year 21-22 the owner had not made any late registration fee payments.

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
-	-	-	-	-	-	-
<b>Totals (penalties previously assessed)</b>				<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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**Penalties Currently Under Consideration**

<b>Reason for Penalties:</b> Illness						
Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
FY2021-22	1	\$150.00	03/09/2022	\$300.00	\$0.00	\$300.00
<b>Totals</b>				<b>\$300.00</b>	<b>\$0.00</b>	<b>\$300.00</b>

**Grounds under Regulation 884(B):** (1) The good cause asserted in the waiver request is a death or illness in the landlord's family.

**Good cause claimed by owner:** The owner is recovering from double bi-pass heart surgery and undergoing cancer treatment.

**Recommendation:** Staff recommend waiving the fees.

**Staff Analysis:** Prior to fiscal year 21-22 the owner had not made any late registration fee payments. During the last registration cycle, the owner under went two major medical treatments.

MAR 09 2022

Initial: \_\_\_\_\_  
Berkeley Rent Board

Request for Waiver of Late Registration Penalties

Please Read Important Information on Page 2

Property Address:

1524 HEARST AVE.

Owner:

TAKASHI OKAZAKI

Date of acquisition, if new owner: \_\_\_\_\_

Name & relationship of person filing request, if not owner: \_\_\_\_\_

If, after reading the information on Page 2, you believe that you are entitled to a waiver of some or all of your late registration penalties, use the space below to explain why. Attach evidence, where possible, to document an extenuating circumstance that prevented timely payment, such as hospitalization or death in the family. It is your responsibility to convince the Board that your waiver should be granted, so state all facts and circumstances that support your case. **Please print or type clearly.** Attach an additional sheet of paper if needed.

DEAR SIR,

I AM REQUESTING ~~FOR~~ WAIVER FOR LATE REGISTRATION PENALTIES FOR FOLLOWING REASONS.

1. THIS ORDINANCE WAS IMPOSED LATE NOV. 2020, AND I NEVER RECEIVED INVOICE FOR THE REQUIRED FEE.

2. I AM RECOVERING FROM DOUBLE BY-PASS HEART SURGERY AND CURRENTLY RECEIVING PROSTATE CANCER TREATMENT

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

Date:

3/5/2022

Signature:

Takanu Okazaki

The information entered below **must be clearly printed or typed** in order to receive the Executive Director's recommendation to the Rent Board on your penalty waiver request one week prior to the Board's consideration of your request at its monthly meeting. The recommendation will also include the date, time and location of the meeting should you choose to attend and address the Commissioners.

Email Address: \_\_\_\_\_

Mailing Address:

982 - 15TH AVE. SAN FRANCISCO, CA 94118

Phone Number:

925-719-2307

Fax Number: \_\_\_\_\_

Please see Communications Disclaimer on Page 2 that applies to any personal information you provide.

**City Of Berkeley  
Rent Stabilization Board**

**Recommendation on Requested Waiver of Registration Penalties**

<b>Waiver No:</b> W5024	<b>Property address:</b> 1192 CARRISON ST	<b>Transferred:</b> 02/26/2010
<b>Exempt units (as of February 2021):</b> None		
<b>Owner(s):</b> MUSHIRA EL-BARDAI	<b>Waiver filed by:</b> OWNER	<b># of Units:</b> 4
<b>Other Berkeley rental property owned:</b> None		

**Late payment/penalty history:** In the last five fiscal years, this owner has not made any late registration fee payments.

Registration Date or Year	Units requiring registration at that time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Paid
-	-	-	-	-	-	-
<b>Totals (penalties previously assessed)</b>				<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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**Penalties Currently Under Consideration**

<b>Reason for Penalties:</b> Illness						
Registration Date or Year	Unit(s) registered late at this time	Registration fees paid	Date fees paid	Penalties charged	Penalties forgiven	Penalties Due
21/22	4	\$1,000.00	01/03/2022	\$1,000.00	-	-
<b>Totals</b>				<b>\$1,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**Grounds under Regulation 884(B):** (1) The good cause asserted in the waiver request is a death or illness in the landlord's family.

**Good cause claimed by owner:** The owner hired a new property manager who was unfamiliar with COB rent ordinance. Usually, the owner follows up with the property manager regarding payment. Unfortunately, the owner under went two major surgeries in fiscal year 21/22 and one had complications which prevented the owner from timely follow up.

**Recommendation:** Staff recommends waiving the penalty fees.

**Staff Analysis:** In the last five fiscal years, the owner has not made any late registration fee payments. Also, in the last Registration cycle the owner under went two major surgeries.

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RECEIVED

MAR 21 2022

Initial: \_\_\_\_\_  
Berkeley Rent Board

**Request for Waiver of Late Registration Penalties**

*Please Read Important Information on Page 2*

Property Address: 1192 Carrison St, Berkeley, CA 94702

Owner: Mushira Anis El Bardai Trust, M T El Bardai, T T E

Date of acquisition, if new owner: \_\_\_\_\_

Name & relationship of person filing request, if not owner: \_\_\_\_\_

If, after reading the information on Page 2, you believe that you are entitled to a waiver of some or all of your late registration penalties, use the space below to explain why. Attach evidence, where possible, to document an extenuating circumstance that prevented timely payment, such as hospitalization or death in the family. It is your responsibility to convince the Board that your waiver should be granted, so state all facts and circumstances that support your case. **Please print or type clearly.** Attach an additional sheet of paper if needed.

This property was acquired in 2010 and was managed by Salwa Ibrahim till Feb 2021. We retained Ana Smith from Premium Properties to manage the property as we were unfamiliar with the details of the city of Berkeley rules. Unfortunately she did not fulfill her duties and the Registration Fee was not paid in time. She resigned in February 2022. I usually followed up with her, but I had two major surgeries in July & November of 2022 with many complications.

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

Date: March 16, 2022 Signature: M. T. El Bardai

The information entered below **must be clearly printed or typed** in order to receive the Executive Director's recommendation to the Rent Board on your penalty waiver request one week prior to the Board's consideration of your request at its monthly meeting. The recommendation will also include the date, time and location of the meeting should you choose to attend and address the Commissioners.

Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Please see Communications Disclaimer on Page 2 that applies to any personal information you provide.

# AFTER VISIT SUMMARY



11/30/2021 Alta Bates Emergency 510-204-2500

## Instructions

Your personalized instructions can be found at the end of this document.



### Your medications have changed today

See your updated medication list for details.



### Read the attached information

Hives (ENGLISH)



### Pick up these medications at RITE AID-27 ORINDA WAY - ORINDA, CA - 27 ORINDA WAY

• prednISONE  
Your estimated payment per fill: \$3



### Pick up these medications from any pharmacy with your printed prescription

• diphenhydrAMINE  
Your estimated payment per fill: Estimate unavailable



### Schedule an appointment with Aimee Keyashian, MD as soon as possible for a visit in 2 days (around 12/2/2021)

Why: For rash re-check  
Specialty: Internal Medicine  
Contact: 5800 HOLLIS ST  
Emeryville CA 94608-2016  
510-806-2100

## What's Next

You currently have no upcoming appointments scheduled.

## Allergies (Fully Reviewed on: 11/30/21)

Agent	Severity	Comments
Aspirin		Hx of GI bleeding, per pt

You were seen by: Brown, Stephanie Yvonne

## Today's Visit

### Reason for Visit

Rash

### Diagnosis

Urticaria

### Lab Tests Completed

BASIC METABOLIC PANEL  
COMPLETE BLOOD CELL COUNT

### Medications Given

diphenhydrAMINE (BENADRYL) Last given 11/30/2021 5:39 AM  
prednISONE (DELTASONE) Last given 11/30/2021 5:39 AM

## My Health Online

Your discharge instructions, test results, and other information is available electronically on Sutter's online patient portal, My Health Online (MHO). Our records show that you have an active My Health Online account, which you can use at [myhealthonline.sutterhealth.org](https://myhealthonline.sutterhealth.org) to view this information.

If you forgot your password or Online ID for your My Health Online account, you can easily reset them online by visiting the links below.

Password: <https://myhealthonline.sutterhealth.org/password>  
Online ID: <https://myhealthonline.sutterhealth.org/onlineID>



# AFTER VISIT SUMMARY



11/24/2021 Alta Bates Emergency 510-204-2500

## Instructions

Your personalized instructions can be found at the end of this document.



### Read the attached information

Nonspecific Chest Pain Adult (ENGLISH)



### Follow up with Mary Hawn, MD

Why: CALL ON MONDAY TO SCHEDULE AND APPOINTMENT NEXT WEEK. CALL THE ADVICE LINE SOONER FOR WORSENING SYMPTOMS

Contact: 450 BROADWAY ST  
Redwood City CA 94063  
650-721-1991



### Follow up with Aimee Keyashian, MD

Why: As scheduled.  
Specialty: Internal Medicine  
Contact: 5800 HOLLIS ST  
Emeryville CA 94608-2016  
510-806-2100



### Follow up with Alta Bates Emergency

Why: Immediately if symptoms worsen - See below  
Specialty: Emergency Medicine  
Contact: 2450 Ashby Avenue  
Berkeley California 94705  
510-204-2500

## What's Next

You currently have no upcoming appointments scheduled.

## Allergies (Fully Reviewed on: 11/24/21)

Agent	Severity	Comments
Aspirin		Hx of GI bleeding, per pt

You were seen by: Honner, Samatha K

## ED Disposition

ED

Disposition Condition Comment

Discharge

## Today's Visit

### Reason for Visit

- Breathing problem
- Chest pain

### Diagnoses

- Chest pain, unspecified type
- Post-operative pain

### Lab Tests Completed

COMPLETE BLOOD CELL COUNT  
COMPREHENSIVE METABOLIC PANEL  
PARTIAL THROMBOPLASTIN TIME (CLOTTING TEST)  
PROTHROMBIN TIME/INR  
TROPONIN I, HIGH SENSITIVITY performed 2 times

### Imaging Tests

CHEST X-RAY, PORTABLE  
CTA CHEST W OR W AND WO CONTRAST  
ELECTROCARDIOGRAM (EKG)

### Done Today

CLERK COMMUNICATION

### Medications Given

furosemide (LASIX) Last given at 6:24 PM  
iohexol iodinated (Omnipaque) Last given at 5:49 PM  
NaCl 0.9% (FOR BOLUS ONLY) Stopped at 6:19 PM  
NaCl 0.9% Last given at 5:49 PM



11/3/2021 11:15 AM PANES VISIT

Provider: NP1  
Department: Pre Anesthesia Clinic  
Dept Phone: 650-498-5332

### Preoperative Instructions

**Procedure Date:** 11/17/21

**Procedure Location:** STANFORD HOSPITAL 500P INTERVENTIONAL PLATFORM

**Pre-procedure COVID-19 Testing Date:** Your surgery/procedure requires COVID-19 testing to be obtained within three (3) days prior to your procedure date. If you do not have a scheduled appointment, please log on to your Stanford MyHealth account for self-scheduling or contact Express Care at 650-498-9000, Option 1 for assistance.

**If there are changes to your surgery time, we will contact you by 6:30pm the evening prior to surgery. For question, please call (650)723-5163.**

### Procedure Location:

New Stanford Hospital (500p).

**DIRECTION :** Located at 500 Pasteur Dr, Stanford Hospital 2nd floor, Pre-Procedure Unit.

Take Elevator M bank (#5, #6, #7, or #8) located on the right side of the Atrium entrance

### Eating and Drinking Instructions:

## **1. PLEASE FOLLOW YOUR SURGEON'S/PROCEDURALIST'S EATING AND DRINKING INSTRUCTIONS BEFORE SURGERY/PROCEDURE.**

2. If you have **NOT** received eating and drinking instructions from your surgeon, please follow these instructions.

- Do not eat any food or solids, candy or gum, **8 hours before your procedure /surgery.**
- Do not drink any dairy/milk/soy products (protein shakes) **8 hours before your procedure/surgery.**
- You may drink the following clear liquids: tea, black coffee (no cream), water, cranberry juice, apple juice, or sports drinks. Do not drink anything with pulp.
- You may continue to drink clear liquids (see above for examples) **up until 4 hours before your procedure/surgery time (or 5 AM for first cases of the day).**
- On the day of procedure/surgery, take your morning medications as instructed with sips of water.

### Transportation:

Remember you must arrange for an adult to drive you home after surgery. A taxi or ride share driver is not acceptable unless you have a responsible adult to accompany you home. Due to COVID-19, our Valet parking is suspended.

### Personal Items:

Remember to dress comfortably. Leave valuables at home. Please do not wear makeup, jewelry, metal piercing or contact lenses. Please bring your photo ID, insurance card, and you may be requested to provide a co-payment and/or deductible

### Preoperative Medication Management (see medication list below)

1 week before your procedure do not take herbal supplements and fish oils.

11/3/2021 11:15 AM PANES VISIT

Provider: **NP1**  
Department: **Pre Anesthesia Clinic**  
Dept Phone: **650-498-5332**

**Preoperative Instructions**

**Procedure Date:** 11/17/21

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**Procedure Location:**

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**DIRECTION :** Located at 500 Pasteur Dr, Stanford Hospital 2nd floor, Pre-Procedure Unit.

Take Elevator M bank (#5, #6, #7, or #8) located on the right side of the Atrium entrance

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**Transportation:**

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**Personal Items:**

Remember to dress comfortably. Leave valuables at home. Please do not wear makeup, jewelry, metal piercing or contact lenses. Please bring your photo ID, insurance card, and you may be requested to provide a co-payment and/or deductible

**Preoperative Medication Management (see medication list below)**

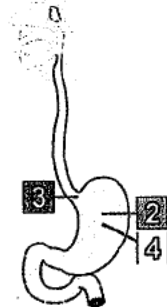
1 week before your procedure do not take herbal supplements and fish oils.

**Patient Name:** [REDACTED]  
**MRN:** [REDACTED]  
**Age:** 80  
**Attending MD:** Subhendu (Bob) Narayan, MD

**Procedure Date:** 9/21/2020 2:52 PM  
**Date of Birth:** 10/11/1939  
**Gender:** Male

**Procedure:** Upper GI endoscopy  
**Indications:** Reflux esophagitis, Follow-up of reflux esophagitis, For therapy of reflux esophagitis, Anorexia, Eructation, Laryngitis, Weight loss  
**Providers:** Subhendu (Bob) Narayan, MD (Doctor), Michele Collier, MD (Anesthesia Staff)  
**Referring MD:** Aimee Keyashian, MD  
**Requesting Provider:**  
**Medicines:** Propofol 320 mgs  
**Complications:** No immediate complications.

**Procedure:** Pre-Anesthesia Assessment:  
 - Prior to the procedure, a History and Physical was performed, and patient medications, allergies and sensitivities were reviewed. The patient's tolerance of previous anesthesia was reviewed.  
 - The risks and benefits of the procedure and the sedation options and risks were discussed with the patient. All questions were answered and informed consent was obtained.  
 - Patient identification and proposed procedure were verified prior to the procedure.  
 - Pre-procedure physical examination revealed no contraindications to



Upper Gastrointestinal Tract

sedation.

- ASA Grade Assessment: II - A patient with mild systemic disease.  
 - After reviewing the risks and benefits, the patient was deemed in satisfactory condition to undergo the procedure.  
 - Monitored anesthesia care under the supervision of an anesthesiologist was determined to be medically necessary for this procedure based on review of the patient's medical history, medications, and prior anesthesia history.  
 - Mental Status Examination: alert and oriented. Airway Examination: normal oropharyngeal airway and neck mobility. Respiratory Examination: clear to auscultation. CV Examination: normal. Abdominal Examination: bowel sounds present, abdomen soft and non-tender, no masses or organomegaly noted.  
 After obtaining informed consent, the endoscope was passed under direct vision. Throughout the procedure, the patient's blood pressure, pulse, and oxygen saturations were monitored continuously. The Endoscope was introduced through the mouth, and advanced to the antrum of the stomach, or perhaps only the distal body, as the pylorus was never found (scope kept retroflexing). The upper GI endoscopy was technically difficult and complex due to abnormal anatomy (presumably a large hiatal hernia, and inability to insufflate the stomach as the escaped up the esophagus). The patient tolerated the procedure well.

# AFTER VISIT SUMMARY



6/24/2021 9:00 AM Gastrointestinal Surgery - OPC 650-721-1991

## Instructions from Mary Hawn, MD

### **Important Phone Numbers:**

GI/Colorectal Surgery (8am - 4:30pm, Mon-Fri) - (650) 721-1991.

Fax # 650-497-4226

Stanford Healthcare Operators (24 hours) - (650) 723- 6661

We thank you for your visit at the Stanford Medicine Outpatient Center in Redwood City. We know that there are many choices out there, and we are grateful that you have chosen the Gastrointestinal Surgery Clinic at Stanford to be your partners in health. We will work to provide you excellent care.

### **Below are some helpful policies and tips about Stanford Gastrointestinal and Colorectal Surgery:**

- 1. MyHealth:** As a part of your care, we encourage you to register for MyHealth. With MyHealth you can check your medical records and doctors' notes, make appointments, communicate with your doctor and medical team, and receive your lab and test results quickly. You can sign up online at: [myhealth.stanfordhealthcare.org](http://myhealth.stanfordhealthcare.org) or download the MyHealth App on your smartphone.
- 2. Medication refills:** Please contact your pharmacy for refills. They will contact us electronically to ensure the most efficient and rapid refill process. To avoid interruptions in your medicines, please contact your pharmacy before you run out of medications. It is our goal to have your refill processed within two business days. Please allow extra time on weekends and holidays.
- 3. Test results:** Normal test results are released to you through MyHealth or mailed to you in one to two weeks. You will be contacted in timely manner for all results that require urgent action. If you do not hear from us within 2 weeks, please call or email your care team through MyHealth.
- 4. Additional Exams or Imaging:** If you have been instructed to have any **additional imaging (x-ray, CT, MRI, Ultrasound, etc)**, please contact our **Radiology Department to schedule your appointment at (650)723-6855**. Please note that it may take up to 2 - 3 weeks for our clinic to receive results from studies taken outside of Stanford Health Care. If you are completing your exam outside of Stanford, you will need to reach out directly to the facility to schedule. Once you have found a place, please give us their fax number so we can fax your exam order to them. After your test is done, let us know, as we often do not get these results. You may also want to obtain

# AFTER VISIT SUMMARY



6/11/2021 ALTA BATES SUMMIT - ALTA BATES

## Patient Instructions

FOLLOW-UP IN DR. ANDREW PIENKNY'S OFFICE ON MONDAY MORNING FOR FOLEY CATHETER REMOVAL.

DR. ANDREW PIENKNY'S OFFICE # 510-848-1727

2999 REGENT STREET, SUITE #612

BERKELEY, CA. 94705



### Your medications have changed

- ➔ **START taking:**
  - HYDROcodone/acetaminophen (NORCO 5)
  - sulfamethoxazole/trimethoprim (BACTRIM-DS/SEPTRA-DS)
- ❓ **ASK how to take:**
  - amLODIPine 10mg Tab (Norvasc)
  - calcium carbonate 1500mg (CALTRATE 600)
  - denosumab 60mg/mL Prefilled Syringe (PROLIA)
  - DOXAZOSIN MESYLATE PO
  - esomeprazole DR 40mg Cap (NexIUM)
  - ferrous sulfate CR 140mg Tbcr
  - finasteride 5mg Tab (PROSCAR)
  - Lasix 20mg Tab
  - latanoprost 0.005% Ophth Soln (XALATAN)
  - MAGNESIUM PO
  - metoprolol succinate ER 50mg 24Hr-XL Tab (TOPROL XL)
  - MULTIVITAMIN PO
  - VITAMIN C PO
  - Vitamin D-1000 Max St 1,000 units Tab

Review your updated medication list below.



## Your Next Steps

### Do

- Pick up these medications from RITE AID-27 ORINDA WAY - ORINDA, CA - 27 ORINDA WAY
  - HYDROcodone/acetaminophen
  - sulfamethoxazole/trimethoprim

### Read

- Read these attachments
  - Green Light Laser Prostate Treatment Care After (ENGLISH)
  - General Anesthesia Adult Care After (ENGLISH)
  - Indwelling Urinary Catheter Care Adult Easy-to-Read (ENGLISH)

## My Health Online

View your After Visit Summary and more online at <https://myhealthonline.sutterhealth.org/mho/>.

From: Calabrese, Stephanie NP calabrsd@sutterhealth.org  
Subject: PREPARING FOR SURGERY  
Date: Jun 8, 2021 at 10:01:28 AM  
To: [REDACTED]

---

**EKG 6/8/2021 11:40 AM**

PreOperative Clinic :  
3100 Summit Street, 2<sup>nd</sup> Floor Suite 2549  
Oakland, CA 94609  
Tel: (510)869-8865

Please park in Summit garage and we will pay your parking fee J

**PREPARING FOR SURGERY**

Surgery Date: 6/11/2021  
Surgery Arrival Time: SURGERY OFFICE WILL NOTIFY YOU OF YOUR SCHEDULED TIME  
Surgery Location: **Alta Bates Campus, 2450 Ashby Ave, Berkeley, CA 94705**  
*(1st Floor Surgical Services) Ph (510) 204-2256*

Maps and Directions:

**Alta Bates Campus - Park at Alta Bates Parking Garage. Enter on Colby between Ashby and Webster Street.**

[http://www.altabatesummit.org/visiting/altabates\\_directions.html](http://www.altabatesummit.org/visiting/altabates_directions.html)

Preparing for Your Surgery Day:

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**What to bring:**

- Insurance cards and ID
- Method of payment for parking and insurance copay
- COVID vaccination card, if you have been vaccinated
- Storage containers for any dentures, glasses, and contact lenses
- Wear loose, comfortable clothing
- CPAP machine if you use one
- If your surgeon has told you that you will be staying overnight, pack a small overnight bag with your personal items and clean clothes to wear home

**Do NOT bring:**

- Jewelry and other valuables
- Piercings. Remove piercings from your body prior to coming to surgery

# City of Berkeley

Rent Stabilization Program

2125 Milvia Street, Berkeley, CA 94704

Phone: (510) 981-7368 (981-RENT) Fax: (510) 981-4910

## AMENDED REGISTRATION STATEMENT

Complete this form for any changes in status of a **previously registered** unit on the property, or for any change in ownership, management, or mailing address for this property. This form must be completed and submitted, and the fee paid, **within sixty (60) days** of the change in status.

If the PROPERTY, or the individual unit(s), you are now registering has never been registered, complete an **INITIAL REGISTRATION STATEMENT**.

Berkeley Property Address: **PLEASE PRINT LEGIBLY, OR TYPE**

1186-1192 Carrison St. 94702 4  
Street Number Street Name Zip Number of Units  
on the property

### PART I. CHANGE IN OWNERSHIP

Complete this section if you are a new owner. List all owners of record (as reflected by the Alameda County Recorder's Office) and each owner's percentage of ownership.

1. Date of purchase, or title transfer: \_\_\_\_\_
2. Name of Trust (if applicable): \_\_\_\_\_  
If the property is held in a revocable living trust and you are claiming an owner-occupancy exemption on the same property you must fill out a Living Trust Declaration for Owner-Occupancy Exemption and state the full details of the trust.
3. The names of all owners of record, and the percentage of ownership for each owner must be listed for all changes in ownership.

Name	%	Name	%
a) _____	_____	c) _____	_____
b) _____	_____	d) _____	_____

### PART II. CHANGE IN MAILING ADDRESS

Complete this section to change the address to which bills and other correspondence are sent and/or to select either an owner or one agent to receive all correspondence from the Rent Stabilization Program. Bills and correspondence may only be sent to one property, therefore you must only **CHECK ONLY ONE BOX** to select the billing contact:

Billing Contact: Owner

Agent / Manager

**OWNER:** Mushira Anis ElBardai Trust  
Name: M. T. ElBardai, TTE  
Address: 8 Clarewood Mall  
City, State, ZIP: Oakland, CA 94618  
Phone: (925) 878-1356  
Email: t.bardai@hotmail.com

**AGENT / MANAGER:**  
Agency Name: Antonia Smith  
Address: 3140 Ellis St  
City, State, ZIP: Berkeley, CA 94703  
Phone: (510) 646-2473  
Email: Carrison 4plex@gmail.com



**PART III. UNIT STATUS CHANGE FOR UNITS THAT HAVE BEEN PREVIOUSLY REGISTERED**

- Complete this section when you are changing the status of any previously registered unit.
- This form must be completed and the fee paid within 60 days from the date a unit is rented to avoid the assessment of a penalty.
- Complete an **Initial Registration Statement** for any unit(s) being registered for the **first time**.

**A. Registration of Formerly Exempt Units**

(If new tenancy, a *Vacancy Registration* form is also required.)

Unit Designation	Date Rented	Rent Per Month	Unit Designation	Date Rented	Rent Per Month
1) _____	_____	\$ _____	4) _____	_____	\$ _____
2) _____	_____	\$ _____	5) _____	_____	\$ _____
3) _____	_____	\$ _____	6) _____	_____	\$ _____

**B. Claim of Exemption**

All claims of exemption are subject to verification. If you are unclear whether an exemption applies to your unit, you should consult with a housing counselor. You may be liable for fees and possibly penalties if your units are determined, at any time, to be ineligible for the exemption you claim.

If you are claiming an exemption for more than 3 units, please use an additional form.

Unit Designation	Exemption Designation <small>*See list</small>	Date of Exemption	If Owner Occupied, Owner's Name
1) _____	_____	_____	_____
2) _____	_____	_____	_____
3) _____	_____	_____	_____

**\* List of common Exemption Designations:**

<u>Status</u>	<u>Designation</u>
OWNER OCCUPIED	Owner of 50% or more occupies the unit and/or shares kitchen and/or bath with tenant.
SECTION 8	Registered with BHA, Section 8 program.
VACANT and NOT AVAILABLE FOR RENT	This unit is not now occupied by an owner or tenant, and is not available to be rented.
OCCUPIED RENT-FREE	This unit is provided to the tenant by the owner, rent-free, AND does not require any service(s) from the tenant in exchange for the rent-free privilege.
**OTHER	**If you use this designation, you must explain why the unit is exempt.

\*\*Explanation \_\_\_\_\_

**I declare under penalty of perjury that the above information is true and correct to the best of my knowledge and belief.**

M. T. El-Bardai  
Signature

2/3/2021  
Date

# City of Berkeley

Rent Stabilization Program  
2125 Milvia Street, Berkeley, CA 94704  
Phone: (510) 981-7368 (981-RENT) Fax: (510) 981-4910

## AMENDED REGISTRATION STATEMENT

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Berkeley Property Address: **PLEASE PRINT LEGIBLY, OR TYPE**

1192 Carrison St. 94702 4  
Street Number Street Name Zip Number of Units  
on the property

### PART I. CHANGE IN OWNERSHIP

Complete this section if you are a new owner. List all owners of record (as reflected by the Alameda County Recorder's Office) and each owner's percentage of ownership.

1. Date of purchase, or title transfer: \_\_\_\_\_
2. Name of Trust (If applicable): \_\_\_\_\_  
If the property is held in a revocable living trust and you are claiming an owner-occupancy exemption on the same property you must fill out a Living Trust Declaration for Owner-Occupancy Exemption and state the full details of the trust.
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Billing Contact: Owner  Agent / Manager

#### OWNER:

Name: Mushira Anis ElBardai Trust  
Address: 8 Clarewood Mall  
City, State, ZIP: Oakland, 94618  
Phone: (925) 878-1356  
Email: Tawfik.Bardai@gmail.com

#### AGENT / MANAGER:

Agency Name: None Currently  
Address: \_\_\_\_\_  
City, State, ZIP: \_\_\_\_\_  
Phone: (\_\_\_\_) \_\_\_\_\_  
Email: \_\_\_\_\_

**PART III. UNIT STATUS CHANGE FOR UNITS THAT HAVE BEEN PREVIOUSLY REGISTERED**

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If you are claiming an exemption for more than 3 units, please use an additional form.

Unit Designation	Exemption Designation *See list	Date of Exemption	If Owner Occupied, Owner's Name
1) _____	_____	_____	_____
2) _____	_____	_____	_____
3) _____	_____	_____	_____

\* List of common Exemption Designations:

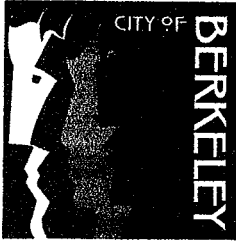
<u>Status</u>	<u>Designation</u>
OWNER OCCUPIED	Owner of 50% or more occupies the unit and/or shares kitchen and/or bath with tenant.
SECTION 8	Registered with BHA, Section 8 program.
VACANT and NOT AVAIL- ABLE FOR RENT	This unit is not now occupied by an owner or tenant, and is not available to be rented.
OCCUPIED RENT-FREE	This unit is provided to the tenant by the owner, rent-free, AND does not require any service(s) from the tenant in exchange for the rent-free privilege.
**OTHER	**If you use this designation, you must explain why the unit is exempt.

\*\*Explanation \_\_\_\_\_

I declare under penalty of perjury that the above information is true and correct to the best of my knowledge and belief.

M. T. El-Bardai, TTE  
Signature

3/10/2022  
Date



Berkeley Property Owner  
1192 CARRISON ST  
BERKELEY, CA 94702

1192 CARRISON ST  
BERKELEY, CA 94702

Received On	Description	Check Number	Receipt Amount	Receipt No
03/14/2022	CR, FULLY COVERED, REG FEE FOR 21/22, \$1000	02635i	\$1,000.00	00001892

If not cash payment, attach check below

2125 Milvia Street, Berkeley, California 94704  
TEL: (510) 981-7368 (981-RENT), TDD: (510) 981-6903, FAX: (510) 981-4910  
EMAIL: [rent@cityofberkeley.info](mailto:rent@cityofberkeley.info), INTERNET: [www.cityofberkeley.info/rent/](http://www.cityofberkeley.info/rent/)



Rent Stabilization Board  
Office of the Executive Director

DATE: May 19, 2022

TO: Honorable Members of the Berkeley Rent Board

FROM: DéSeana Williams, Executive Director  
By: Nathan Dahl, Public Information Unit Manager

SUBJECT: Recommendation to adopt Resolution 22-11 authorizing the Executive Director to enter into a contract with the Social Science Research Center at California State University Fullerton to conduct a tenant survey in the fall of 2022 for a total amount not to exceed \$77,246

**Recommendation:**

That the Board adopt Resolution 22-11 authorizing the Executive Director to enter into a contract with the Social Science Research Center at California State University Fullerton to conduct a residential tenant survey in the Fall of 2022 for a total amount not to exceed \$77,246. The term of the contract is outlined in Request for Proposal (RFP) Specification No. 22-11490-C.

**Background and Need for Rent Stabilization Board Action:**

Tenant surveys have been conducted in 1984, 1988, 1998, and 2009. The Board has discussed going forward with the next iteration of a Tenant Survey since 2018 and authorized the necessary funding for the project at the June 17, 2021 Board Meeting as part of the Board's adopted FY2022 budget.

The Tenant Survey generates accurate and representative statistics that provide valuable information for elected officials, staff, and the public about the characteristics of the tenants served by the Rent Stabilization Program. The survey responses yield information relating to how tenants perceive the quality of the buildings they live in, their relations with property owners and managers, and their experiences with the Rent Board and other public housing agencies. The purpose of the current survey is to gather a representative sample of tenants' experiences in Berkeley today and compare these results with those collected in 2009. Additionally, this year's survey will include questions related to how circumstances such as the COVID pandemic and factors relating to climate changes and its impacts may have affected the tenant housing experience in Berkeley.

The RFP for the tenant survey went out February 17, 2022, and the Social Science Research Center at California State University Fullerton was the only vendor to submit a proposal.

They originally proposed conducting the Tenant Survey in line with the Spring 2022 timeline outlined in the RFP, but due to administrative processing and contract execution timelines, it was not feasible to conduct the survey in the spring of 2022 and the vendor has agreed to modify the timelines outlined in the scope of services to execute the tenant Survey in the fall of 2022.

**Financial Impact:**

There are sufficient funds in the Fiscal Year (FY) 2021-2022 and the FY 2022-2023 budget to cover this contract amount.

**Conclusion:**

As the Social Science Research Center at California State University Fullerton was the only RFP response for this project and because staff and members of the Rent Board Outreach Committee have vetted the proposal and believe they are qualified and well suited for the project, it is prudent to move forward with Board approval of the Resolution so that Rent Board staff can move forward with implementing processing the contract and starting the Tenant Survey in the fall of 2022.

**Name and Telephone Number of Contact Person:**

Nathan Dahl – Public Information Unit Manager (510) 981-4935

Attachment:

- 1) Proposed Resolution 22-11
- 2) Applicant RFP Response
- 3) Applicant Pricing for Tenant Survey

**RESOLUTION 22-11**

**AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH THE SOCIAL SCIENCE RESEARCH CENTER OF CALIFORNIA STATE FULLERTON TO CONDUCT A TENANT SURVEY IN THE FALL OF 2022**

WHEREAS, The Board has discussed conducting a tenant survey and incorporated the costs into their Fiscal Year (FY) 2022 budget; and

WHEREAS, previous tenant surveys were conducted in 1984, 1988, 1998 and 2009 and it is intended to reoccur approximately every ten years; and

WHEREAS, tenant surveys generate accurate and representative statistics that provide valuable information for elected officials, staff, and the public about the characteristics of the tenants served by the Rent Stabilization Program; and

WHEREAS, the survey responses yield information relating to how tenants perceive the quality of the buildings they live in, their relations with property owners and managers, and their experiences with the Rent Board and other public housing agencies; and

WHEREAS, the Social Science Research Center of California State University Fullerton was the only response to the RFP and were deemed qualified by the selection committee to prepare and execute the activities associated with the scope of work required for the Tenant Survey;

NOW, THEREFORE BE IT RESOLVED that the City of Berkeley Rent Stabilization Board hereby directs the Executive Director to execute a contract with the Social Science Research Center of California State University Fullerton in an amount not to exceed \$77,246 for FY 2022 and FY 2023 to conduct the 2022 Berkeley Tenant Survey.

Dated: May 19, 2022

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

YES:

NO:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Leah Simon-Weisberg, Chair  
Rent Stabilization Board

Attest: \_\_\_\_\_  
DéSeana Williams, Executive Director

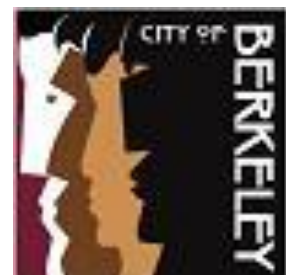


Proposal Specification No. 22-11490-C  
Prepared for City of Berkley's Rent Board

**March 3, 2022**

PRESENTED TO  
Moni Law

PRESENTED BY  
Laura Gil-Trejo, MPH, MA





## Table of Contents

Introduction .....	3
Proposed Approach .....	3
Survey Design Support and IRB Approval .....	3
Sampling Plan.....	4
Survey Procedure.....	4
Response Rate and Survey Outcome .....	5
Data Analysis and Report Production .....	5
Project Timeline .....	5
Center Staff .....	6
1. CONTRACTOR IDENTIFICATION.....	6
2. CLIENT REFERENCE.....	7
3. PRICE PROPOSAL.....	7
4. CONTRACT TERMINATIONS .....	7
5. COMPARABLE PROJECTS.....	8

**PROPOSAL**  
**Specification No. 22-11490-C**  
**City of Berkeley's Rent Board Tenant Survey**

**Introduction**

The City of Berkeley seeks a qualified vendor to co-develop and implement the 2022 City of Berkeley's Rent Board Tenant Survey. This is the fifth year the Tenant Survey will be administered, as previous iterations of the survey have been administered in 1984, 1988, 1998, and 2009. The Rent Program surveys generate accurate and representative statistics that provide valuable information for elected officials, staff, and the public about the characteristics of the tenants served by the Rent Stabilization Program, how they perceive the quality of the buildings they live in, their relations with property owners and managers, and their experiences with the Rent Board and other public housing agencies. The purpose of the current survey is to gather a representative sample of tenants' experiences in Berkeley today and compare these results with those collected in 2009.

The Social Science Research Center (SSRC), a non-profit organization at California State University, Fullerton (CSUF), was established in 1987 to provide research services to community organizations and research support to university faculty. The SSRC offers the expertise of full-time research scientists and high-quality research services utilizing state-of-the-art hardware, software, and methodology. The SSRC conducts mailed, telephone, and online surveys, evaluation research, and needs assessments, and ensures the development of linguistically and culturally appropriate research instruments and methods. The SSRC has experience conducting surveys related to the renter experience as well as surveys with low income and multi-lingual populations. The SSRC believes itself more than qualified to complete the Scope of Services as outlined in RFP Specification No. 22-11490-C and has the capacity to do so based on its portfolio of projects for the spring of 2022. The following sections detail the SSRC's proposed approach to the 2022 City of Berkeley Rent Board Tenant Survey.

**Proposed Approach**

**Survey Design Support and IRB Approval**

One of the SSRC's strengths is its ability to ascertain how much support clients need by means of survey design, with some needing little to no assistance and others needing the SSRC to design the survey for them entirely. The SSRC respects where its clients are and works diligently to ensure their needs are met during the surveying phase of the study. We have the capacity to work collaboratively, productively, responsively, and reliably with clients to produce a survey that is clear and understandable, flows well, and minimizes respondent fatigue. Given the City of Berkeley's Rent Board Survey has been administered several years prior and comparisons between the 2009 and 2022 versions of the survey are sought, it is expected there will be a fair degree of similarity between the items used in the 2009 survey and those used in the 2022 survey. Additionally, the SSRC will work with RSB Staff to establish the areas of interest to them for this year's survey administration. Once the SSRC has compiled a list of areas of interest to the Board, they will conduct research to determine if survey items already exist that address each particular area of interest and adapt those to the current context. Furthermore, the City of Berkeley Rent Board has retained Dr. Barton as a consultant to the study, and the SSRC will work closely with him to ensure the content and quality of the survey meet the Board's expectations. Lastly, upon finalization of the survey, the SSRC obtains approval from the CSUF Institutional Review Board (IRB) to conduct the proposed study with human participants. The CSUF IRB is a university committee appointed by the CSUF President to protect the rights and welfare of human subjects recruited to participate in research

activities. The SSRC submits one to two dozen IRB applications per year and has an excellent track record of obtaining approvals efficiently. At this time, we anticipate requesting an exemption given the low risk nature of the study.

### **Sampling Plan**

The population of inference for the current study includes almost all housing units presently rented or available for rent in properties with two or more units built prior to 1990. These units represent approximately 73% of Berkeley's rental housing stock. In 2009, long-term tenants were oversampled as a means of focusing additional attention on the units receiving the largest discounts from market rents and on the characteristics of tenants who occupy them. Currently, it is unknown whether the Board will desire an oversampling of this group again. The SSRC can easily accommodate oversampling of this group into the study's sampling plan. The Board plans to furnish the SSRC with the mailing and email addresses of the target households from their database, which will serve as the study's sampling frame. To the list of addresses, the SSRC will append phone numbers where available. The SSRC will do so by furnishing the list of addresses provided by the Board to a commercial vendor, Scientific Telephone Samples (STS), a highly reputable vendor of statistically sound telephone samples, which will then append telephone numbers to the households for which they possess this information. In our experience, STS is able to provide telephone numbers for 50% to 60% of addresses provided. These telephone numbers will be used to make reminder phone calls to potential study participants who have not completed the survey seven weeks after data collection has commenced. These reminder calls will serve to increase the response rate for the overall study.

For the 2009 City of Berkeley Rent Board Tenant Survey, the population of inference consisted of 20,175 unit addresses, 18,855 of which were registered and 1,320 listed as temporarily exempt because the tenants received rental assistance. Of these, 1,907 were sampled for the study, and 766 surveys were completed, for a total response rate of 42%. The SSRC anticipates receiving a similar number of addresses for the 2022 effort and sampling a similar proportion of units. The SSRC also expects to complete a similar, if not higher, number of surveys completes and response rate.

### **Survey Procedure**

Like the 2009 City of Berkeley's Rent Board Tenant Survey, Dillman's "Total Design Method" will be utilized for the 2022 Survey. However, some elements will be added to the method in order to modernize the 2022 Survey and increase response rate. Using this method, three separate mailings will go out to all housing units sampled from the universe of all addresses provided by the Rent Board. Beginning April 25<sup>th</sup>, an introductory/pre-notification letter will go out to all sampled units. The letter will explain the purpose of the study, who is conducting it, and a number to call should a potential respondent have concerns regarding the study. The letter will contain a QR code and shortened URL potential respondents can use to access an online version of the survey. It will also contain a unique code participants use to log in and link their survey to their address (necessary to ensure no duplicate responses and calculate response rate). The online version of the survey will be hosted on Qualtrics, a well-known and respected cloud-based platform for creating and distributing web-based surveys. SSRC Assistant Manager, under the Direction of the Project Manager, will monitor the addresses of all incoming online survey completes to cull them from the list of addresses who will receive the second mailing. On the week of May 2<sup>nd</sup>, a letter containing a paper version of the survey will be mailed out to all addresses for whom an online survey has not been completed. The SSRC will use Remark OMR (Optical Mark Recognition) to create a fillable survey, so data can be scanned into a data file rather than entered manually. The SSRC Assistant Project Manager will again be responsible for tracking which addresses return surveys and culling them

from the list of addresses that will receive a reminder postcard on May 16<sup>th</sup>. A QR card will also be included on this reminder post-card for those interested in completing the survey online. At this point, the SSRC will make reminder calls to the phone numbers associated with addresses that have no completed survey on record. The purpose of the reminder call is to encourage the head of household or their family member to complete the City of Berkeley Rent Board Tenant Survey and alert them they will be receiving a copy in the mail shortly. Finally, a replacement survey will be mailed to the addresses for which no survey has been returned as of May 16<sup>th</sup>.

**Response Rate and Survey Outcome**

With this method, the SSRC expects it will obtain at least 766 survey completions with a response rate of 42% or higher. Given the population of addresses in the list, the confidence interval for the sample estimates generated through the study should be +/- 3.47, with a 95% confidence level.

**Data Analysis and Report Production**

In order to present the 2022 data, a reliance of univariate descriptive statistics will be relied upon. To compare 2022 data to 2009 data, Pearson’s chi-squared tests will be utilized. Prior to data analysis, however, data will be weighted if any oversampling is required in the sampling plan. The weighting will ensure the final study sample mirrors the study population on some primary characteristic (e.g., older vs. newer tenancy).

**Project Timeline**

Task	Description	
1	Develop and refine survey instrument with RSB Staff	March 21-31
2	Develop outreach materials	March 28- April 8
3	Send draft survey to RSB Staff	April 8
4	Submit IRB application	April 4-8
5	Print surveys and outreach materials	April 11-15
6	Program survey instrument into Qualtrics	April 20-22
7	Mail pre-notification letters	April 25-29
8	Send survey	May 2-6
9	Send reminder postcard	May 16-20
10	Make reminder phone calls	May 16-20
11	Send replacement survey	May 16-20
12	Collect 766 surveys with Berkeley tenants	April 25-July 18
13	Monitor data for quality control	April 25-July 18
14	Enter data	May 16-July 22
15	Clean and merge all data	June 13-17
16	Analyze data	June 20-July
17	Send data results to RSB Staff	July 18
18	First draft of report	June 20- August 10
19	Send data results to RSB Staff	July 18
20	Produce final report	August 10- Sept 5
21	Integrate revisions /feedback from Rent Board into final draft of report	Sept 5-October 10

**Center Staff**

*Laura Gil-Trejo | Director | Years of Experience: 13 | Role: Project Director*

Laura is an experienced survey research expert with research design, project oversight, survey instrument development, data analysis, and report writing experience spanning numerous industries and disciplines. Laura works closely with clients to establish needs, create and administer the research design, provide updates for the project, oversee disbursement of grant funds, and deliver all contract obligations at the end of the study.

*Lizette Sanchez | Office Manager | Years of Experience: 16 | Role: Project Manager and Budget Oversight*

Lizette has extensive experience as a public service administrator including but not limited to project coordination and oversight, personnel management, maintaining effective operations and productivity, quality control, and research implementation. Lizette is also proficient in budget development and tracking.

*Frederick Rose | Research Operations Coordinator | Years of Experience: 10 | Role: Programmer and Analyst*

Frederick is an experienced survey research expert with project management, survey instrument development, data management, data analysis, and report writing experience. Frederick leads the research team to address client needs, implement the research design, assign responsibilities to the research team, program surveys for administration, monitor the quality of data collected, perform data analysis, and write comprehensive reports on study methods and findings.

*Rachel Peterson M.S. | Project Manager | Years of Experience: 4*

Rachel Parker is a program evaluator who is obtaining her Masters of Science in Measurement and Evaluation. On this project, she will serve as Project Manager and play a major role in data analysis and report preparation. In her years at the SSRC, Rachel has cultivated a great deal of experience in project management, program evaluation, survey design, survey programming, data analysis, report production, and staff development.

**1. CONTRACTOR IDENTIFICATION**

Name of Firm:

CSU Fullerton Auxiliary Services Corporation

Firm’s Principal Place of Business:

1121 N. State College Blvd.  
Fullerton, CA 92831-3014

Contact Person(s):

*Authorized Official with legal authority to sign and administer the project:*

Charles D. Kissel  
Executive Director  
(657)278-4100

*Designated Financial Officer authorized to receive warrants:*

Sydney Dawes  
Director, Office of Sponsored Programs  
(657) 278-4103

Tax Identification Number:

95-2081258

## **2. CLIENT REFERENCE**

- a. Soo Elizabeth Kang, M.A.  
Executive Director  
City of Stanton  
7800 Katella Ave  
Stanton CA 90680  
(714) 890-4274
  
- b. David Chou, D. Env., P.E.  
Manager  
Gasoline Off-Road Inventory Section  
Air Quality Planning and Science Division  
California Air Resources Board  
4001 Iowa Avenue  
Riverside, CA 92507  
(626) 450-6136
  
- c. Dr. Michele Wood, Ph.D.  
Professor and Chair, CSU Fullerton Dept. of Public Health  
800 N. State College Boulevard  
Fullerton, CA 92834  
(657) 278-7330
  
- d. Joelle K. Greene, Ph.D.  
Director  
Harder+Company Community Research  
555 W 5<sup>th</sup> Street, Los Angeles, CA 90013  
(213) 542-2512

## **3. PRICE PROPOSAL**

See attached.

## **4. CONTRACT TERMINATIONS**

On May 7 of 2018, the SSRC entered into an agreement with Mid-City Research, LLC to conduct 1,337 surveys with Denver residents of Jewish ethnicity, religion, or identity using three different sampling methods: List assisted, Random Digit Dial (RDD), and Respondent Driven Sampling (RDS).

RDS is a novel variant of link-tracing sampling for estimating the characteristics of hard-to-reach groups, such as HIV prevalence in sex workers. Despite its use by leading health organizations, the performance of this method in realistic situations is still largely unknown (McCreesh, et al., 2012). This project was innovative, as the SSRC and the Principal Investigator (PI) at Mid-City Research, Bruce Phillips, had never used RDS in any of their studies. We knew it was going to be challenging.

The idea behind the RDS design is the researcher starts with a small number of “seeds” from the target population (3-15 people). Seeds complete the interview process and receive a predetermined number of coupons they can use to recruit other people in their network (Wave 1). This process continues, like a chain, until the goal number of completed surveys is reached. Participants receive two incentives, one for completing the survey and another for each person in their network who completes the survey. Because this design is typically used to sample harder-to-reach populations, such as sex workers, the concept of a physical coupon typically works well. For individuals living in a large urban city, like Denver, the idea of a physical coupon did not, so the SSRC developed an electronic coupon that seeds could disseminate to people in their network. The entire methodology depends on 1) the seed’s willingness to refer eligible members of their network to the study (e.g. disseminate their coupons to their peers) and 2) the referred individual’s willingness to complete the survey and refer eligible members of their network to the study (e.g. continue the chain by using their coupons).

Unfortunately, this methodology did not function as anticipated. While seed participants were willing to refer members of their network to the study, the referred individuals were not willing to complete the survey, breaking the chain. We worked with Mid-City Research, LLC to develop solutions to the problem, with no success. For example, the SSRC attempted calling the individuals seeds had referred into the study in an attempt to complete the survey with them over the phone. This task was outside of the scope of work for this contract, but something we were willing to try to make this project work. At some point, it became clear that this methodology, while ideal for hard-to-reach populations, was not a feasible approach for a population of residents living in a large urban city. It also became clear to us at some point Mid-City Research was going to continue to expend funds on a design that was not working, dismissing our recommendations to stop the project and change course completely. After consulting with the CSUF Auxiliary Services Corporation, I ultimately made the decision to discontinue the SSRC’s work on this project. The vendor would likely agree that the RDS approach was not working at the time we negotiated to exit the contract. However, they might argue that there were still work arounds that we could have tried to make the sampling design work. The contact person for this contract is Dr. Bruce Phillips, 6109 Del Valle Drive, Los Angeles, CA, 9008. (323) 428-5217. His Co-PI on this project was Dr. Daniel Lainer Vos, 6533 Olympic Place, Los Angeles, CA 90035. (646) 644-8759.

## 5. COMPARABLE PROJECTS

- a. Chollas Creek EcoVillage Survey, 2017: The primary goal of the Chollas Creek EcoVillage Project is to collaboratively transform the City of San Diego's Encanto Neighborhood, which is in the top 25% of CalEPA Enviro 2.0 Disadvantaged Communities, into a modern, sustainable community. Given the ethnic diversity and socioeconomic status of those in the area, the Chollas Creek EcoVillage Project Team wishes to accomplish this goal using a community-driven approach, integrating the input of community members to the extent possible and providing them with a sense of empowerment over this aspect of their lives. In order to support the Chollas Creek EcoVillage Project, the Social Science Research Center (SSRC) at California State University

Fullerton conducted surveys with Encanto neighborhood residents regarding their knowledge, attitudes, and behaviors toward energy and water conservation in the home. These surveys were administered through multiple modes, including telephone, web, mail, and in-person, to ensure complete coverage of the area and maximize response rate. Between March 13<sup>th</sup>, 2017 and October 21<sup>st</sup>, 2017, 386 surveys were completed with Encanto area residents, with more than two-thirds ( $n = 265$ ; 68.7%) of these conducted in-person, about a quarter by telephone ( $n = 89$ ; 23.1%), and smaller proportions completed online ( $n = 28$ ; 7.3%) and by mail ( $n = 4$ ; 1.0%).

- b. CalOptima Member Health Needs Assessment Member Survey-2017: To improve services for all members, CalOptima wished to complete a comprehensive Member Health Needs Assessment (MHNA). This assessment would ascertain the priority needs and issues affecting the health of CalOptima's members and identify the needs of the diverse Medi-Cal communities that previous assessments had not been able to address. One component of the broader MHNA is a survey of CalOptima's membership. The SSRC, along with Harder + Company Community Research, opted to use a rigorous mixed-methods approach for the survey. Surveys were collected by mail, telephone, and online for this study. This mixed-methods approach ensured representation across the many languages, ages, and county regions of the members. The results of this assessment would be used to reach a wide range of audiences to help resolve health disparities and promote health equity. The SSRC adapted the survey instrument for online and telephone administration. The survey was translated into Spanish, Vietnamese, Korean, Farsi, Arabic, and Mandarin Chinese. Respondents were asked approximately 50 questions about their experiences with the health care system, housing and basic needs, mental health, and substance abuse. In total, 5,815 surveys were collected between September 1, 2017 and November 5, 2017, with 86.0% ( $n = 5,003$ ) administered by mail, and smaller proportions completed by phone ( $n = 534$ ; 9.2%) and online ( $n = 278$ ; 4.8%).
- c. BRIDGE Housing Resident Survey Phase 3 (2019): BRIDGE Housing Corporation is a nonprofit organization that develops and manages high quality, affordable homes for seniors and working families. The organization has provided services for over three decades and has participated in the development of more than 17,000 homes and apartments on the US West Coast. Research staff at BRIDGE Housing were interested in learning about BRIDGE residents' experiences living in their communities and how these experiences have impacted their quality of life and sense of wellbeing and safety. BRIDGE Housing contracted with Harder and Company Community Research to conduct household assessments at selected BRIDGE properties. As a part of these assessments, the Social Science Research Center (SSRC) at California State University, Fullerton agreed to complete telephone and mailed surveys with selected BRIDGE properties for a third consecutive year. SSRC interviewers completed surveys with 220 residents from eight BRIDGE properties between August 26 and September 23, 2019. Data from mailed surveys were input up until October 25, 2019, with a total of 63 surveys ultimately completed via this mode. The mailed survey instrument included versions in English, Spanish, Vietnamese, Chinese, Russian, Arabic, and Farsi. Respondents were asked to answer approximately 64 items in the survey, which were used to measure their level of satisfaction with their current living situation compared to their previous situation, along with questions about number of children and other residents living with them, educational attainment, health care, how they access the internet, employment status, race, income level, and primary spoken language. The mailed survey instrument was adapted for administration via telephone by SSRC staff.



- d. Conditional Use Permit Public Intercept Survey Protocol 2021: The Health Care Agency's Tobacco Use Prevention Program (TUPP) was interested in collecting data about community knowledge, attitudes, and perceptions in Buena Park and La Habra regarding Conditional Use Permit (CUP) oriented approaches to monitor the tobacco retail environment as it relates to youth access to tobacco products. TUPP sought to conduct a survey of adults 18 and older in Buena Park and La Habra to document knowledge of and support and opposition to CUP strategies, and demographic information provided by survey participants. To this end, TUPP, through the County's public health services, contracted with the SSRC to collect the data of interest. To this end, the SSRC administered telephone surveys to a sample of residents residing in the cities of Buena Park and La Habra. Between June 16, 2021 and September 10, 2021, the SSRC completed a total of 401 telephone interviews with individuals 18 years of age or older living in the city of La Habra or Buena Park. Surveys were administered to maximize representation of key demographic groups comprised of Spanish and Korean households based on the individual's stated language preference. Surveys were conducted in English, Spanish, and Korean in Buena Park and in English and Spanish in La Habra. The overall margin of error for the total survey sample is plus or minus 4.89 percentage points.

## 3. Price Proposal

April 1, 2022 through October 30, 2022

Object Code	Budget Category Description	Subtotal	Total
<b>1.</b>	<b>PERSONNEL</b>		
	<b>Ph.D. Level Staff / Project Director (1)</b> - Responsible for overall project oversight <u>Salary Calculation:</u> \$50.47 an hour x approximately 0 hours per week for 30 weeks (total 0 hours) = <b>\$0</b>	\$0	
	<b>Research Operations Coordinator (1)</b> - Program and pre-test survey instrument; provide technical support. <u>Salary Calculation:</u> \$37.00 an hour x approximately 2.83 hours per week for 30 weeks (total 85 hours) = <b>\$3,145</b>	\$3,145	
	<b>Project Manager (1)</b> - Sample management, data file management, and validation. <u>Salary Calculation:</u> \$35.00 an hour x approximately 4.67 hours per week for 30 weeks (total 140 hours) = <b>\$4,900</b>	\$4,900	
	<b>Assistant Project Manager (1)</b> - Assist with sample management, data file management, and validation. <u>Salary Calculation:</u> \$25.00 an hour x approximately 1.33 hours per week for 30 weeks (total 40 hours) = <b>\$1,000</b>	\$1,000	
	<b>Telephone Interviewers</b> - Reminder calls and mailer preparation <u>Salary Calculation:</u> \$15.00 an hour x approximately 18.6 hours per week for 30 weeks (total 558 hours) = <b>\$8,377</b>	\$8,377	
	<b>Research Assistants</b> - Data entry verification <u>Salary Calculation:</u> \$15.00 an hour x approximately 2.67 hours per week for 30 weeks (total 80 hours) = <b>\$1,200</b>	\$1,200	
	<b>Shift Supervisors (1)</b> - Reminder call and mailer preparation oversight and quality control <u>Salary Calculation:</u> \$20.00 an hour x approximately 3.73 hours per week for 30 weeks (total 112 hours) = <b>\$2,234</b>	\$2,234	
	<b>Administrative Operations Manager (1)</b> - Payroll and budget administration <u>Salary Calculation:</u> \$35.00 an hour x approximately 2 hours per week for 30 weeks (total 60 hours) = <b>\$2,100</b>	\$2,100	
	<b>TOTAL DIRECT COSTS</b>		<b>\$22,956</b>
<b>2.</b>	<b>FRINGE BENEFITS</b>		
	Project Director Reassigned Time at 66.50%	\$0	
	Research Operations Coordinator F/T ASC personnel at 40.15%	\$1,263	
	Project Manager F/T ASC personnel at 40.15%	\$1,967	
	Assistant Project Manager F/T ASC personnel at 40.15%	\$402	

### 3. Price Proposal

April 1, 2022 through October 30, 2022

Object Code	Budget Category Description	Subtotal	Total
	Telephone Interviewers P/T ASC personnel at 12.15%	\$1,018	
	Research Assistants P/T ASC personnel at 12.15%	\$146	
	Shift Supervisors P/T ASC personnel at 12.15%	\$271	
	Administrative Operations Manager F/T ASC personnel at 40.15%	\$843	
	CSU charges actual fringe benefit costs incurred. Full time benefits for release time include a benefit package consisting of FICA, State Unemployment Insurance (SUI), Worker's Compensation, leave including vacation and sick leave, medical, dental, and life insurance benefits, and retirement benefits (PERS). Rates vary with the number of dependents and type of coverage. Currently the rate for CSUF employees is 66.50% (State employees), ASC Personnel: Full-time (F/T), fully-benefitted assessed at 40.15%, Part-time non-benefitted is 12.15% (payroll taxes, Workmen Comp/UI).		
	<b>TOTAL DIRECT COSTS</b>		<b>\$5,910</b>
<b>3.</b>	<b>OTHER DIRECT COSTS</b>		
	<b>Incentives</b> An estimate of 776 survey completions is anticipated. Participants will receive \$5 Amazon Gift Cards for completing the survey.	\$3,880	
	<b>Materials</b> 2600 Pre-notification letters will be mailed out: \$598 \$.12 per letter; \$.11 per envelope  2470 Survey instruments will be mailed out: \$6,037 \$2.21 per survey; \$.23 per envelope  2223 reminder postcards will be mailed out: \$511 \$.12 per letter; \$.11 per envelope  2001 second letters with a replacement survey will be sent out: \$4,890 \$2.21 per survey; .234 per envelope	\$12,036	
	<b>Postage</b> 2600 Pre-notification letters will be mailed out: \$1,326 \$.51 postage; \$.51 postage return  2470 Survey instruments will be mailed out: \$3,831 \$1.41 postage; \$1.41 postage return  2223 reminder postcards will be mailed out: \$1,248 \$.51 postage; \$.51 postage return  2001 second letters with a replacement survey will be sent out: \$3,056 \$1.41 postage; \$1.41 postage return	\$9,461	

### 3. Price Proposal

April 1, 2022 through October 30, 2022

Object Code	Budget Category Description	Subtotal	Total
	<b>Translation</b> The SSRC will hire Transperfect to translate the English version of the survey instrument into Spanish.	\$1,500	
	<b>Telephone / FAX</b> The SSRC is billed \$0.07 cents per minute for each telephone call and a \$440 communication fee per month. To complete the number of surveys specified in the budget detailed report.	\$2,382	
	<b>License</b> SSRC will purchase one license of Remark Office OMR Data entry software. Current pricing for this license is \$1,295.	\$1,295	
	<b>TOTAL DIRECT COSTS</b>		<b>\$30,554</b>
	<b>TOTAL DIRECT COSTS</b>		<b>\$59,420</b>
	<b>TOTAL INDIRECT COSTS = 30% (Based Total Direct Costs)</b>		<b>\$17,826</b>
	<b>TOTAL CONTRACT AMOUNT</b>		<b>\$77,246</b>

**Special Note about Facilities and Administrative Costs (also known as "Indirect Costs"):**

The University expects external sponsors to pay the actual costs of conducting the sponsored project. These costs include both the direct and the facilities and administrative costs obligations incurred by the University in the conduct of a project. The costs that are clearly identified with and benefit a specific research project ("Direct Costs") include salaries, fringe benefits, equipment, supplies, travel and other expenses. The facilities and administrative costs ("F&A") are those institutional research infrastructure costs that cannot be readily attributed to an individual project or monitored on an individual basis and include building and equipment use, operations, maintenance and utilities, general, departmental and sponsored projects administration, library, and capital improvements. Each sponsored project is expected to pay its proportional share of these research infrastructure costs. This payment is based on the facilities and administrative cost rate that is negotiated annually (or multiple years) between the University and the U.S. Department of Health and Human Services. Since the facilities and administrative cost rate is based on the level of existing facilities and administrative costs associated with research, the facilities and administrative cost income received by the University (and all other institutions of higher education) is a reimbursement for actual costs incurred. All research project budgets should include facilities and administrative costs as determined by this federally negotiated facilities and administrative cost rate.



DEPARTMENT OF HEALTH & HUMAN SERVICES

Program Support Center  
Financial Management Portfolio  
Cost Allocation Services

90 7<sup>th</sup> Street, Suite 4-600  
San Francisco, CA 94103-6705  
PHONE: (415) 437-7820  
FAX: (415) 437-7823  
EMAIL: [CAS-SF@psc.hhs.gov](mailto:CAS-SF@psc.hhs.gov)

June 13, 2017

Frank A. Mumford  
Executive Director  
California State University, Fullerton and the  
Auxiliary Services Corporation  
2600 Nutwood Avenue, Suite 275  
Fullerton, CA 92831-3137

Dear Mr. Mumford:

A copy the facilities and administrative (F&A) cost rate agreement for the California State University, Fullerton and the Auxiliary Services Corp. is being sent to you for signature. This agreement reflects an understanding reached between your organization and a member of my staff concerning the rate(s) that may be used in support of your claim for F&A costs on grants and contracts with the Federal Government.

The Office of Management and Budget (OMB) has requested that we reach an agreement with each major institution on the components of published F&A rates. The enclosed forms are provided for that purpose.

Please have the agreement signed by an authorized representative of your organization and return within ten business days of receipt. The signed agreement should be sent to me by email, while retaining the copy for your files. Only when the signed agreement is returned, will we then reproduce and distribute the agreement to the appropriate awarding organizations of the Federal Government for their use.

An F&A cost proposal, together with the supporting information, are required to substantiate your claim for indirect costs under grants and contracts awarded by the Federal Government. Therefore, your next proposal based on actual costs for the fiscal year ending 06/30/2019 is due in our office by 12/31/2019. Please submit your next proposal electronically via email to [CAS-SF@psc.hhs.gov](mailto:CAS-SF@psc.hhs.gov).

Sincerely,

Arif M.

Karim -A

Arif Karim, Director  
Cost Allocation Services

Digitally signed by Arif M. Karim -A  
DN: c=US, o=U.S. Government, ou=HHS,  
ou=PSC, ou=People, cn=Arif M. Karim -A,  
0.9.2342.19200300.100.1.1=2000212895  
Date: 2017.06.16 13:01:02 -05'00'

Enclosure

PLEASE SIGN AND RETURN THE NEGOTIATION AGREEMENT BY EMAIL

**COLLEGES AND UNIVERSITIES RATE AGREEMENT**

EIN:

DATE:06/13/2017

ORGANIZATION:

FILING REF.: The preceding agreement was dated 05/02/2013

Calif State Univ, Fullerton and the Auxiliary Services Corporation  
800 North State College Blvd.  
Fullerton, CA 92634

The rates approved in this agreement are for use on grants, contracts and other agreements with the Federal Government, subject to the conditions in Section III.

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**SECTION I: Facilities And Administrative Cost Rates**

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RATE TYPES:      FIXED                      FINAL                      PROV. (PROVISIONAL)                      PRED. (PREDETERMINED)

EFFECTIVE PERIOD

<u>TYPE</u>	<u>FROM</u>	<u>TO</u>	<u>RATE (%)</u>	<u>LOCATION</u>	<u>APPLICABLE TO</u>
PRED.	07/01/2015	06/30/2017	39.10	On-Campus	Organized Research
PRED.	07/01/2017	06/30/2018	40.00	On-Campus	Organized Research
PRED.	07/01/2018	06/30/2020	42.00	On-Campus	Organized Research
PRED.	07/01/2015	06/30/2020	26.00	Off-Campus	Organized Research
PRED.	07/01/2015	06/30/2020	45.00	On-Campus	Instruction
PRED.	07/01/2015	06/30/2020	26.00	Off-Campus	Instruction
PRED.	07/01/2015	06/30/2020	37.00	On-Campus	Other Sponsored Activities
PRED.	01/01/2015	06/30/2020	26.00	Off-Campus	Other Sponsored Activities

ORGANIZATION: Calif State Univ, Fullerton and the Auxiliary Services Corporation

AGREEMENT DATE: 6/13/2017

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<u>TYPE</u>	<u>FROM</u>	<u>TO</u>	<u>RATE (%)</u>	<u>LOCATION</u>	<u>APPLICABLE TO</u>
PROV.	07/01/2020	Until Amended			Use same rates and conditions as those cited for fiscal year ending June 30, 2020

\*BASE

Modified total direct costs, consisting of all salaries and wages, fringe benefits, materials, supplies, services, travel and subgrants and subcontracts up to the first \$25,000 of each subgrant or subcontract (regardless of the period covered by the subgrant or subcontract). Modified total direct costs shall exclude equipment, capital expenditures, charges for patient care, student tuition remission, rental costs of off-site facilities, scholarships, and fellowships as well as the portion of each subgrant and subcontract in excess of \$25,000.

ORGANIZATION: Calif State Univ, Fullerton and the Auxiliary  
Services Corporation

AGREEMENT DATE: 6/13/2017

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**SECTION II: SPECIAL REMARKS**

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TREATMENT OF FRINGE BENEFITS:

The fringe benefits are specifically identified to each employee and are charged individually as direct costs. The directly claimed fringe benefits are listed below.

TREATMENT OF PAID ABSENCES

Vacation, holiday, sick leave pay and other paid absences are included in salaries and wages and are claimed on grants, contracts and other agreements as part of the normal cost for salaries and wages. Separate claims are not made for the cost of these paid absences.

OFF-CAMPUS DEFINITION: For all activities performed in facilities not owned by the institution and to which rent is directly allocated to the project(s) the off-campus rate will apply. Grants or contracts will not be subject to more than one F&A cost rate. If more than 50% of a project is performed off-campus, the off-campus rate will apply to the entire project.

DEFINITION OF EQUIPMENT

Equipment is defined as tangible nonexpendable personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.

The following fringe benefits are treated as direct costs:

FICA, SUI, WORKERS COMPENSATION, HEALTH/LIFE/DENTAL/VISION INSURANCE, LONG-TERM DISABILITY AND RETIREMENT.

NEXT PROPOSAL DUE DATE

A proposal based on actual costs for fiscal year ending 06/30/19, will be due no later than 12/31/19.



ORGANIZATION: Calif State Univ, Fullerton and the Auxiliary Services Corporation

AGREEMENT DATE: 6/13/2017

**SECTION III: GENERAL**

**A. LIMITATIONS:**

The rates in this Agreement are subject to any statutory or administrative limitations and apply to a given grant, contract or other agreement only to the extent that funds are available. Acceptance of the rates is subject to the following conditions: (1) Only costs incurred by the organization were included in its facilities and administrative cost pools as finally accepted; such costs are legal obligations of the organization and are allowable under the governing cost principles; (2) The same costs that have been treated as facilities and administrative costs are not claimed as direct costs; (3) Similar types of costs have been accorded consistent accounting treatment; and (4) The information provided by the organization which was used to establish the rates is not later found to be materially incomplete or inaccurate by the Federal Government. In such situations the rate(s) would be subject to renegotiation at the discretion of the Federal Government.

**B. ACCOUNTING CHANGES:**

This Agreement is based on the accounting system purported by the organization to be in effect during the Agreement period. Changes to the method of accounting for costs which affect the amount of reimbursement resulting from the use of this Agreement require prior approval of the authorized representative of the cognizant agency. Such changes include, but are not limited to, changes in the charging of a particular type of cost from facilities and administrative to direct. Failure to obtain approval may result in cost disallowances.

**C. FIXED RATES:**

If a fixed rate is in this Agreement, it is based on an estimate of the costs for the period covered by the rate. When the actual costs for this period are determined, an adjustment will be made to a rate of a future year(s) to compensate for the difference between the costs used to establish the fixed rate and actual costs.

**D. USE BY OTHER FEDERAL AGENCIES:**

The rates in this Agreement were approved in accordance with the authority in Title 2 of the Code of Federal Regulations, Part 200 (2 CFR 200), and should be applied to grants, contracts and other agreements covered by 2 CFR 200, subject to any limitations in A above. The organization may provide copies of the Agreement to other Federal Agencies to give them early notification of the Agreement.

**E. OTHER:**

If any Federal contract, grant or other agreement is reimbursing facilities and administrative costs by a means other than the approved rate(s) in this Agreement, the organization should (1) credit such costs to the affected programs, and (2) apply the approved rate(s) to the appropriate base to identify the proper amount of facilities and administrative costs allocable to these programs.

BY THE INSTITUTION:

Calif State Univ, Fullerton and the Auxiliary Services Corporation

(INSTITUTION)

(SIGNATURE)

(NAME) Frank A. Mumford

(TITLE) Executive Director

(DATE) 6/21/17

ON BEHALF OF THE FEDERAL GOVERNMENT:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

(AGENCY)

**Arif M. Karim -A**

Digitally signed by Arif M. Karim -A  
DN: c=US, o=U.S. Government, ou=HHS,  
ou=PSC, ou=People, cn=Arif M. Karim -A,  
0.9.2342.19200300.100.1.1=2000212895  
Date: 2017.06.16 13:00:23 -05'00'

(SIGNATURE)

Arif Karim

(NAME)

Director, Cost Allocation Services

(TITLE)

6/13/2017

(DATE) 0168

HHS REPRESENTATIVE:

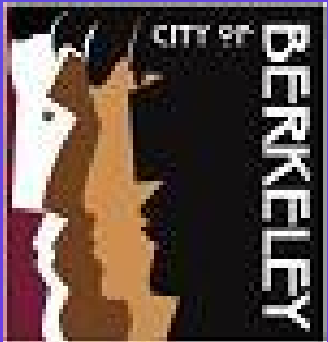
Jeanette Lu

Telephone:

(415) 437-7820

# Fair Chance Access to Housing

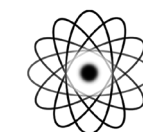
Compliance for Rental Housing Providers





# Alameda County Fair Chance Housing Coalition

- Used lived experiences, public policy research and data to craft legislation
- Worked with BPOA & city officials to negotiate
- Passed in March 2020



Just Cities  
Restorative Justice in Planning & Policy



# Fair Chance Housing Goals

- Remove a key housing barrier identified by the formerly incarcerated
- Prevent homelessness
- Support family reunification
- Strive for re-entry success

**Expands housing access by judging people on the merits of their application**



# Fair Chance Housing Policy Summary

## Prohibits housing providers from:

- Asking about criminal background in prequalification questions or on rental application
- Excluding a prospective resident from qualifying for a unit based on a criminal background
- Making a decision not to rent to a tenant based on knowledge of criminal background
- Evict a resident based on knowledge of a previous criminal background

**B.M.C. 13.106**



# Applicability

## Applies to all units except:

- Owner-occupied duplexes or triplexes
- Single family homes where owner shares kitchen and/or bath with tenant
- Current tenants who are adding a roommate

**Single family homes are included if the owner does not live on site!**

# Berkeley Rent Stabilization Board



Services > About/Contact Us

Share Print

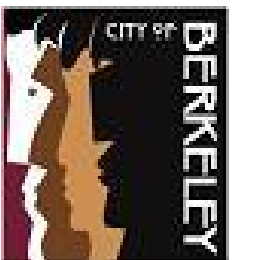
## About/Contact Us

*We implement Berkeley's Rent Ordinance, which regulates most residential rents in Berkeley and gives tenants protection against*

### Contact

Phone: TEL: (510) 981-7368; TDD: (510) 981-6903; FAX: (510) 981-4910

<https://rentboard.berkeleyca.gov/>



# Fair Chance Ordinance Guidance



The screenshot shows the Berkeley Rent Board website. At the top, there is a teal header with the City of Berkeley logo and navigation links for Housing Authority, Public Library, and School District. Below this is a white navigation bar with the Berkeley Rent Board logo and links for Services, Rights & Responsibilities, Elected Rent Board, Laws & Regulations, Forms & Reports, and Resources. The main content area features a breadcrumb trail: Home > Ronald V. Dellums Fair Chance Access to Housing Ordinance. To the right of the breadcrumb are Share and Print buttons. The main heading is "Ronald V. Dellums Fair Chance Access to Housing Ordinance" in a large, bold, dark blue font. Below the heading is a paragraph of text: "The Fair Chance Access to Housing Ordinance prohibits rental housing providers in Berkeley from asking about and using criminal history and/or criminal background checks in their rental housing advertising, applications, tenant selection process, or decision-making." To the right of the main content is a sidebar with a light blue background. It has a title "City of Berkeley Ordinances Affecting Rental Properties" and a list of links: Fair Chance Ordinance (with a red diamond icon), Tenant Buyout Ordinance, Tenant Protection Ordinance, Tenant Screening and Application Fees, and Lease-Breaking Fee Prohibition. Below the sidebar is a "News" section with a small image and the text "Welcome to the Rent Board's New Website".

CITY OF BERKELEY

Housing Authority | Public Library | School District

Berkeley Rent Board

Services | Rights & Responsibilities | Elected Rent Board | Laws & Regulations | Forms & Reports | Resources

Home > Ronald V. Dellums Fair Chance Access to Housing Ordinance

Share | Print

## Ronald V. Dellums Fair Chance Access to Housing Ordinance

*The Fair Chance Access to Housing Ordinance prohibits rental housing providers in Berkeley from asking about and using criminal history and/or criminal background checks in their rental housing advertising, applications, tenant selection process, or decision-making.*

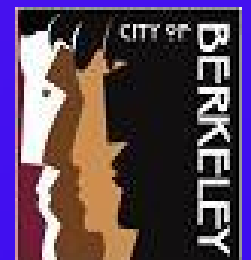
City of Berkeley Ordinances Affecting Rental Properties

- Fair Chance Ordinance
- Tenant Buyout Ordinance
- Tenant Protection Ordinance
- Tenant Screening and Application Fees
- Lease-Breaking Fee Prohibition

News

Welcome to the Rent Board's New Website

[https://rentboard.berkeleyca.gov/Fair\\_Chance](https://rentboard.berkeleyca.gov/Fair_Chance)





# Prohibited Actions

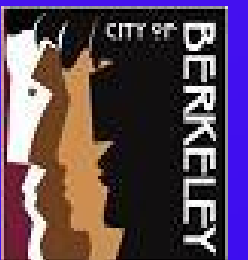
- Refusing to rent based on criminal history
- Refusing to continue to rent based on criminal history
- Treating formerly incarcerated differently from other applicants (e.g., asking for higher security deposit)
- Preventing a formerly incarcerated person from adding a close family member to unit as occupant

**Close family members include spouse, partner, parents, children, siblings, grandparents or grandchildren.**



# Failure to comply could result in civil penalties either by:

- ❑ First step: Administrative Citation Hearing at Rent Board, \$100 – \$1,000 potential penalty
- ❑ City Attorney Files Lawsuit – \$1,000 – \$10,000 potential penalty
- ❑ Private Right of Action – for injunctive relief, actual damages or statutory damages up to three times the amount of one month's rent, punitive damages and attorney's fees



# Impact Evaluation Study



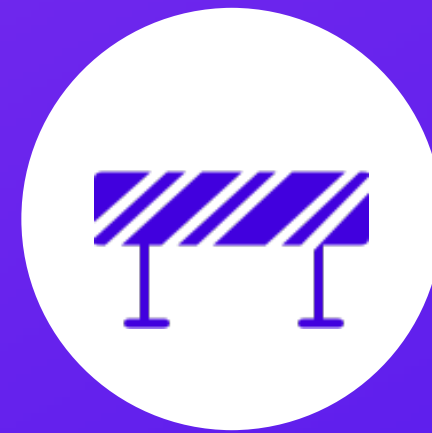
## VOICES

Center the voices of those most impacted



## ACCESS

Ability of formerly incarcerated to access housing



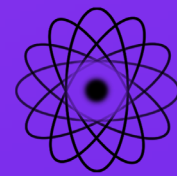
## IDENTIFY

Ongoing barriers to access housing



## RELATIONSHIP

Between housing stability, support & successful reintegration



**Just Cities**

Restorative Justice in Planning & Policy



# For More Information

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[rent@cityofberkeley.info](mailto:rent@cityofberkeley.info)



**Planning and Development Department**  
Land Use Planning Division

DATE: May 4, 2022

TO: Members of the Planning Commission

FROM: Grace Wu, Senior Planner

SUBJECT: Housing Element Update: Preliminary Sites, Goals, Policies, and Programs

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## **INTRODUCTION**

The City of Berkeley is currently updating its Housing Element, which will serve as the City's housing plan for the eight-year period between 2023-2031. Under state law, the Housing Element must provide a Sites Inventory that catalogs a jurisdiction's capacity to accommodate its Regional Housing Needs Allocation (RHNA). The Housing Element must also identify the City's housing needs and outline goals, policies, and programs to address them. This report provides a preview of the preliminary Sites Inventory and the Goals, Policies, and Programs that will be included in the public draft of the Housing Element Update, which will be available in June 2022. The Draft Housing Element will then undergo further review by Department of Housing and Community Development (HCD) and comment be incorporated prior to returning to Planning Commission for recommendation and City Council for local adoption.

## **BACKGROUND**

The City of Berkeley is preparing the 2023-2031 Housing Element Update to comply with the State mandate that requires each local jurisdiction to identify adequate sites for housing to meet the existing and projected needs of households at varying income-levels in the community. The Housing Element Update will establish goals, policies, and programs to address the existing and projected housing needs in Berkeley according to State law and guidance from the HCD. It is intended to provide the City with a comprehensive strategy for promoting the production of safe, decent and affordable housing, and affirmatively furthering fair housing (AFFH).

## **Housing Element Site Inventory Analysis**

The staff reports that accompanied the Planning Commission meeting on February 9, 2022<sup>1</sup> and the City Council Worksession on March 15, 2022<sup>2</sup> provide a detailed overview of the criteria and steps necessary to identify land suitable for residential development that can be feasibly developed during the 2023-2031 period. In summary, the City adhered to the following five steps:

1. Identify **Likely sites**, reflecting recently entitled projects since 2018 and current BART planning efforts at North Berkeley and Ashby stations. Accessory Dwelling Unit (ADU) trends are also incorporated within Likely sites.
2. Identify **Pipeline sites**, based on projects that are under review or actively engaging with the City in anticipation of submitting an application.
3. Identify **Opportunity Sites**, or potential sites for future housing development, based on HCD’s criteria:
  - a. Land is vacant as identified in the existing land use data.
  - b. Parcel has an improvement-to-land assessed value ratio of 0.75 or less.
  - c. Buildings on the parcel are greater than 40 years old for residential buildings and 30 years old for non-residential buildings.
  - d. Parcel does not have historic buildings and rent controlled units.
  - e. Parcel does not have condos or large apartment buildings.
  - f. Parcel is not State- or county-owned.
4. Evaluate and analyze Opportunity Sites for realistic feasibility.
5. Calculate overall Sites Inventory capacity, by income category (Table 1).

**Table 1 Summary Sites Inventory Capacity**

Sites/Projects	Total Net Units	Income Distribution			
		Very Low	Low	Moderate	Above Moderate
Likely Sites	4,685	622	628	249	3,186
<i>ADU Trend</i>	800	240	240	240	80
<i>BART Properties</i>	1,200	210	210	0	780
<i>Entitled Projects</i>	2,685	172	178	9	2,326
Pipeline Sites	2,414	204	180	68	1,962
<i>Applications under review</i>	2,126	178	86	68	1,794
<i>Anticipated</i>	288	26	94	0	168
Opportunity Sites	9,028	1,649	1,649	2,886	2,845
<b>Total Site Capacity</b>	<b>16,127</b>	<b>2,475</b>	<b>2,457</b>	<b>3,203</b>	<b>7,993</b>
<b>2023-2031 RHNA</b>	<b>8,934</b>	<b>2,446</b>	<b>1,408</b>	<b>1,416</b>	<b>3,664</b>
RHNA Surplus	+7,193	+29	+1,049	+1,787	+4,329

<sup>1</sup> February 9, 2022. Planning Commission: Housing Element EIR Scoping Session. [https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_Commissions/2022-02-09\\_PC\\_Item%2010.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/2022-02-09_PC_Item%2010.pdf)

<sup>2</sup> March 15, 2022. City Council Housing Element Worksession #3. [https://www.cityofberkeley.info/Clerk/City\\_Council/2022/03\\_Mar/Documents/2022-03-15\\_Item\\_01\\_Housing\\_Element\\_pdf.aspx](https://www.cityofberkeley.info/Clerk/City_Council/2022/03_Mar/Documents/2022-03-15_Item_01_Housing_Element_pdf.aspx)

The preliminary Likely and Pipeline sites are detailed in Attachment 1. For projects under Likely sites, the affordability categories reflect actual project plans, including density bonus units. For Pipeline sites, the affordability levels reflect proposed project plans to the extent they are known. For ADUs, the City assumed levels of affordability based on the draft *Using ADUs to Satisfy RHNA Technical Memo*, produced by the Association of Bay Area Governments (ABAG).<sup>3</sup>

### Opportunity Sites: Density and Affordability Assumptions

The Opportunity Sites includes a detailed table, in accordance with HCD's template, that lists potential sites that have been identified to have the realistic capacity to meet Berkeley's RHNA (Attachment 2). The table provides characteristics of each opportunity site (including assessor parcel number, existing building age, vacancy status, existing zoning, density assumption, and capacity assumption) to calculate allowable buildout by income category.

The City estimated development potential for Opportunity Sites by calculating the average density achieved for recently approved, under construction, or completed mixed-use and residential projects per zoning district. This calculation is critical since the majority of the City's zoning districts do not have density standards. The density assumptions listed in Table 2 were used to calculate the capacity of Opportunity Sites.

**Table 2 Achieved Density Trends and Density Assumptions**

District	Average Density Based on 2 or More Projects (du/ac)	Density Assumption for RHNA (du/ac)	Methodology Overview
R-1	6.1	6.0	
ES-R	1.2	1.0	
R-1A	16.4	15.0	Based on 2 projects with densities from 14.6 to 18.2 du/ac
R-2	21.6	20.0	Based on 3 projects with densities from 12.9 to 36.9 du/ac
R-2A	26.9	25.0	Based on 13 projects with densities from 12.9 to 50.8 du/ac
R-3	45.9	40.0	Based on 9 projects with densities from 21.4 to 85.1 du/ac
R-4	86.1	75.0	Based on 5 projects with densities from 26.8 to 150.6 du/ac
R-S	102.5	100.0	Based on 3 projects with densities from 64.5 to 129.1 du/ac
R-SMU	212.0	200.0	Based on 2 projects with densities from 189.5 to 234.6 du/ac
C-C	143.1	125.0	Based on 2 projects with densities from 112.6 to 173.5 du/ac. Note that 1 project was approved under the former C-1 zoning designation but is now zoned C-C

<sup>3</sup> September 8, 2021. ABAG. <http://21elements.com/documents-mainmenu-3/housing-elements/rhna-6-2022-2030/1327-draft-adu-affordability-report-sep-8-2021-1/file>

<b>C-U</b>	158.8	150.0	Based on 5 projects with densities from 17.5 to 268 du/ac. Note that 3 of these projects were approved under the former C-1 designation but are now zoned C-U
<b>Neighborhood Commercial (C-N, C-E, C-NS, C-SO)</b>	58.1	50.0	Based on 3 projects with densities from 28.6 to 94.7 du/ac
<b>C-SA</b>	183.5	180.0	Based on 7 projects with densities from 106.7 to 207.8 du/ac
<b>C-T</b>	168.1	160.0	Based on 10 projects with densities from 31.3 to 442.9 du/ac
<b>C-DMU Core</b>	339.8	320.0	Based on 9 projects with densities from 188.1 to 457.4 du/ac
<b>C-DMU Outer Core</b>	247.4	225.0	Based on 6 projects with densities from 143.4 to 390.0 du/ac
<b>C-DMU Corridor</b>	167.8	150.0	Not enough projects so based on C-DMU Buffer projects
<b>C-DMU Buffer</b>	167.8	150.0	Based on 6 projects with densities from 129.3 to 190.5 du/ac
<b>C-W</b>	136.8	135.0	Based on 22 projects with densities from 53.4 to 272 du/ac
<b>C-AC</b>	210.0	210.0	70% of max density defined in recently adopted Specific Area Plan
<b>MU-R</b>	28.0	34.8	Based on 9 projects with densities between 20.0 to 34.8 du/ac

State law (AB 2342, Government Code 65583.2) uses density as a proxy for income levels and affordability for the sites inventory. Under state law, the “default density” for most jurisdictions in urban counties is 30 units/acre. Default density refers to the density considered suitable to encourage and facilitate the development of affordable housing. Table 3 shows the site characteristics used to determine affordability for the sites inventory. In general, zones with lower assumed densities and smaller parcel sizes are presumed to produce units that are affordable to moderate and above moderate households. The sites inventory assumes that sites with densities of at least 30 du/acre are affordable to lower income households.

**Table 3 Affordability by Density, Size, and Site Capacity**

<b>Income Level</b>	<b>Site Characteristics</b>
<b>Lower &lt; 80% AMI</b>	Site size is between 0.35 and 10 acres alone or in consolidation with adjacent sites; AND Density assumed is at least 30 du/ac; AND Site capacity is at least 50 units
<b>Moderate 80-120% AMI</b>	Site size is between 0.10 and 0.35 acres alone or in consolidation with adjacent sites; AND Site capacity is between 30 and 50 units
<b>Above Moderate &gt; 120% AMI</b>	Density assumed is less than 30 du/ac; OR Site capacity is less than 30 units

## Housing Element Sites Inventory and Opportunity Sites



This report includes a preliminary list of Opportunity Sites, and the assumed income category by parcel, that met the above criteria. This list is assessed to ensure that the units identified to accommodate the RHNA—particularly lower income units—will affirmatively further fair housing and are not disproportionately concentrated in areas with larger populations of interest or special needs populations such as racial and ethnic minority groups, persons with disabilities, and cost-burdened renters.

This list is being shared prior to the June 2022 release of the Housing Element public draft to allow additional time for discussion and review. The Sites Inventory will undergo further review by HCD this summer, after responses to public review comments are incorporated.

Note, the Sites Inventory, including the Opportunity Sites, does not require development of any particular site and is not intended to imply that a site will be developed at a certain density or income level, only that it *could* be based on HCD's framework. The intent is to demonstrate that the City has adequately planned and zoned for appropriate development that could accommodate private, non-profit and public housing developments at appropriate densities to meet the projected demand for housing in a variety of income categories.

However, if actual housing production is less than the RHNA, eligible affordable housing projects are subject to a streamlined approvals process (SB 35). Determinations are calculated at the mid-point and end of each eight-year planning period based on progress of a pro-rata share of the City's RHNA. Currently, the City of Berkeley has made insufficient progress toward its very low and low income RHNA and is subject to SB 35 streamlining provisions for projects that include at least 50% affordability.

In addition, AB 1397 requires that 5th cycle opportunity sites re-used in the 6th cycle and identified to accommodate lower income units (Very Low-Income and Low-Income) be subject to by-right approval if projects include 20% affordable units for lower income households on-site. Preliminary analysis shows that this will affect approximately 18 opportunity sites (1,419 units), located along Berkeley's commercial corridors.

### **Goals, Policies, and Programs**

Berkeley's Housing Element Update must include goals, policies and programs that will address identified housing needs—including special needs populations, respond to governmental and non-governmental constraints, and facilitate the development of housing to meet RHNA.

Through outreach and engagement – at public workshops, board and commission meetings, Council worksessions, interviews and small-format meetings, tabling events, and surveys – the Housing Element team has compiled a comprehensive set of goals and policies that reflect feedback received. The preliminary set includes six main goals and 33 policies to enact those goals (Attachment 3). The six goals and their objectives are:

**Goal A Housing Affordability.** Berkeley residents should have access to quality housing at a range of housing options and prices. Housing is least affordable for people at the lowest income levels, especially those with extremely low income, and City resources should focus on this area of need.

**Goal B Housing Preservation.** Existing housing should be maintained and improved. The City promotes energy efficiency and electrification improvements in new and existing residential buildings in order to improve building comfort and safety, reduce energy and water use and costs, provide quality and resilient housing, and reduce greenhouse gas emissions. Improvements that will prepare buildings for a major seismic event should be encouraged.

**Goal C Housing Production.** Berkeley should provide adequate housing capacity to meet its current and future housing needs. New housing should be developed to expand housing opportunities and choices in Berkeley to meet the diverse needs of all socioeconomic segments of the community, and should be safe, healthy and resilient.

**Goal D Special Needs Housing and Homelessness Prevention.** Berkeley should expand the supply of housing for special needs groups, including housing affordable to those with extremely low incomes.

**Goal E Affirmatively Furthering Fair Housing.** The City should continue to take meaningful actions to affirmatively further fair housing choices in Berkeley.

**Goal F Governmental Constraints.** Berkeley should identify and mitigate barriers to the construction and improvement of housing.

This list of goals was shared with staff from departments and divisions throughout the city<sup>4</sup> to identify specific programs (existing and proposed) that would facilitate implementation of policies and achieve the stated goals and objectives.

HCD requires that Housing Element Programs be well developed. Programs must include specific action steps to achieve the City's goals and policies and take into account the following:

- Include a timeline for implementation,
- Identify staff resources (by Department and/or Division) that will be responsible for implementation,
- Describe the City's specific role in implementation and resources (e.g. providing funding, dedicating staffing), and
- Identify specific and measurable outcomes.

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<sup>4</sup> Health, Housing, and Community Services (HHCS), Rent Stabilization Board (RSB), Berkeley Housing Authority (BHA), City Manager's Office-Neighborhood Service Code Enforcement (NSCE) Unit, Building and Safety, Office of Energy and Sustainability.

In this preliminary set, City staff identified 37 housing programs (Attachment 4), offered through several City departments and divisions. They each address one or more goals and policies outlined above. Many of the housing programs reflect City Council referrals that are funded and/or staffed and are already included in the future workplans for departments.

## **DISCUSSION**

Are there gaps in the preliminary Sites Inventory?

Are there gaps in the proposed housing programs? If so, what are specific implementation steps, metrics, and timelines that can be identified for them?

With the requirements for Affirmatively Furthering Fair Housing (AFFH), the City must identify neighborhoods that the City will direct additional efforts and resources to address disparities in the availability of affordable housing, housing conditions, and neighborhood conditions. What are specific neighborhoods and actions where certain Housing Programs can focus on?

## **ATTACHMENTS**

1. Preliminary Likely and Pipeline Sites
2. Preliminary Opportunity Sites
3. Preliminary Goals and Policies
4. Preliminary Housing Programs

Preliminary Likely and Pipeline Sites

TABLE 1: ADU TRENDS AND PROJECTIONS

	Permits Issued
2018	80
2019	96
2020	120
2021	123
<b>Average Trend 2018-2021</b>	<b>105</b>
2023	100
2024	100
2025	100
2026	100
2027	100
2028	100
2029	100
2030	100
<b>Total Projected 6<sup>th</sup> Cycle</b>	<b>800</b>

TABLE 2: ADU PROJECTIONS BY INCOME CATEGORY

Income Category	Percentage	Units
< 50% AMI	30%	240
50-80% AMI	30%	240
80-120% AMI	30%	240
> 120% AMI	10%	80
<b>Total</b>		<b>800</b>

For the purposes of the Sites Inventory, the City assumed levels of affordability based on ABAG's Draft Affordability of ADU report. September 8, 2021..

<http://21elements.com/documents-mainmenu-3/housing-elements/rhna-6-2022-2030/1327-draft-adu-affordability-report-sep-8-2021-1/file>

TABLE 3: NORTH BERKELEY AND ASHBY BART SITES

Station	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Total Units	Acreage	Density Achieved (du/ac)
North Berkeley BART	105	105	0	390	600	6.5	92
Ashby BART	105	105	0	390	600	6.0	100
<b>Total</b>	<b>210</b>	<b>210</b>	<b>0</b>	<b>780</b>	<b>1,200</b>		

Preliminary Likely and Pipeline Sites

TABLE 4: LIKELY SITES - PROJECTS ENTITLED SINCE 2018

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Net New Units	Zone	Type	Density (DUA)
056 197701300	<a href="#">2198 SAN PABLO</a>	Prior use: Wine and Liquor Store. Use Permit #ZP2018-0112 to demolish an existing single-story commercial building and construct a new 6-story, mixed-use development with 3 live/work units, 57 dwelling units (including 5 available to very low-income households), stacked parking for 20 vehicles, and 48 secure bicycle spaces.	5	0	0	55	60	C-W	MU	289.0
057 202700202	<a href="#">2210 Harold</a>	Existing Use: Vacant Commercial office. Use Permit #ZP2020-0011 to demolish an existing commercial building and to construct a seven-story, 75-foot tall mixed-use building with 652 square feet of commercial space on the ground floor, 38 dwellings with a total of 135 bedrooms, and secure storage for 48 bicycles on a 5,953 square-foot parcel. The project would provide no off-street parking, reduce certain setbacks, and pay an in-lieu fee instead of providing privately-owned public open space.	0	0	0	38	38	C-DMU	MU	279.0
053 163300101	<a href="#">3000 San Pablo</a>	Current use: Discount Fabrics. Use Permit #ZP2019-0155 to 1) demolish an existing two-story commercial building; and 2) construct a six-story, mixed-use building with 78 dwelling units (including seven Very Low-Income units), 1,248 square feet of commercial space, 2,320 square feet of usable open space, 50 bicycle parking spaces and 43 vehicular parking spaces.	7	0	0	71	78	C-W	MU	242.7
060 235401503	<a href="#">1207 Tenth Street</a>	MU L/W, studio, R&D, Lt Manufacturing, Art Gallery. Demolition of existing single-story structures on-site, construction of a new 3-story, 18,450 square-foot mixed-use building, providing 12 parking spaces, 12 artist studios, R&D space, a fabrication shop, art gallery and two live/work units.	0	0	0	2	2	MU-LI	MU	6.8
052 157408100	<a href="#">3031 Telegraph</a>	Use Permit #ZP2020-0069 to demolish an existing two-story commercial (medical office) building and	7	0	0	103	110	C-1	MF	152.0

ATTACHMENT 1 Preliminary Likely and Pipeline Sites

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Net New Units	Zone	Type	Density (DUA)
		construct a six-story, 98,338 square-foot mixed-use building with 110 dwelling units (including 7 Very Low-Income units), including 5,666 square feet of commercial space, 7,474 square feet of usable open space, 112 bicycle parking spaces and 29 vehicular parking spaces at the ground level.								
056 197201800	<a href="#">2015 EIGHTH</a>	Demo rear detached garage, build 2 du behind existing duplex	0	0	0	2	2	R-4	MF	26.8
057 202502300	<a href="#">2009 Addison St</a>	Demo commercial, build MU with performing arts space, Berkeley Rep-Rent Free	0	0	9	36	45	C-DMU	MU	188.1
057 202900204	<a href="#">2150-2176 Kittredge</a>	Former gas station. Use Permit #ZP2019-0027 to demolish a five-story commercial building at 2176 Kittredge Street and a one-story convenience store and carwash facility at 2150 Kittredge Street; to merge the two parcels for a total lot area of approximately 32,600 sq. ft.; and to construct a new, 75 ft.-tall, seven-story mixed-use building of approximately 177,000 sq. ft. in total gross floor area containing: 23,000 sq. ft. of commercial floor area on the ground level; a total of 165 dwellings units on the second through seven stories; approximately 13,250 sq. ft. of usable open space within a series of rooftop patios; and a sub-surface parking garage providing 52 off-street parking spaces.	0	0	0	169	169	C-DMU	MU	165.0
052 157404400	<a href="#">3028 Regent Street</a>	Convert care facility to duplex	0	0	0	2	2	R-2A	DP	14.6
057 208602501	<a href="#">1835 San Pablo</a>	Former Tire shop. Demolish an existing one-story commercial building and construct a new 6-story, mixed-use development with 99 dwellings (including 7 dwellings available to very low income households) and 2 live/work units. The project would include stacked parking for 49 automobiles and secure storage for 92 bicycles.	7	0	0	92	99	C-W	MU	222.8

ATTACHMENT 1 Preliminary Likely and Pipeline Sites

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Net New Units	Zone	Type	Density (DUA)
057 206301100	1825 Berkeley Wy	Convert SFD to duplex, add SFD to rear	0	0	0	2	2	R-2A	DP/SFD	27.9
059 226800601	<a href="#">1506 Bonita Ave.</a>	Raise existing duplex to add 2 du on site w/ 3 duplexes. Use Permit #ZP2016-0050 to raise an existing one-story duplex by 8'-10" resulting in a two-story building. The new approximately 1,600 square foot ground level would accommodate two new residential units. This would increase the total number of dwelling units on the parcel from six to eight and the number of bedrooms from six to twelve.	0	0	0	2	2	R-2A	MF/DP	25.8
060 235400200	<a href="#">1200-1214 San Pablo</a>	Art Gallery, Tattoo Parlor, and Former Fast-Food Restaurant. Use Permit #ZP2019-0192 to demolish three existing commercial buildings and construct a six-story, mixed-use building with 104 units (including nine Very Low Income units), a 3,119-square-foot restaurant, 4,343 square feet of usable open space, and 55 ground-level parking spaces.	9	0	0	95	104	C-W	MU	182.0
057 206101000	<a href="#">1717 UNIVERSITY</a>	Demo commercial, SFD, Detached Garage, new 5-story MU bldg	3	0	0	25	28	C-1/R-2A	MU	143.9
059 232500605	<a href="#">1444 FIFTH</a>	Prior Vacant Lot. Administrative Use Permit #ZP2018-0172 to construct four detached, three-story, approximately 1,900 square-foot single-family dwellings, each with an average height of 33 feet, on a 5,744 square-foot vacant lot.	0	0	0	4	4	MU-R	SFD	30.3
057 203400800	<a href="#">2023 Shattuck</a>	Former Vacant Lot. Use Permit #ZP2019-0041 to construct a 24,178 square-foot, seven-story, 73'5" tall, mixed-use building with 48 dwelling units (including 4 units available to very-low-income households) and 1,250 square feet of ground floor commercial space. The project would	4	0	0	44	48	C-DMU Core	MU	600.0

ATTACHMENT 1 Preliminary Likely and Pipeline Sites

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Net New Units	Zone	Type	Density (DUA)
		provide no vehicle parking; it would provide secure storage for 34 bicycles.								
058 212701403	<a href="#">1740 San Pablo Ave</a>	Prior use: Vacant service station. Use Permit #ZP2017-0014, to demolish two existing 1-story buildings and build a 5-story mixed-use building with 48 dwelling units, 3 live/work units, 1 approximately 800 square-foot quick-serve restaurant, and 53 parking spaces at the ground floor.	4	0	0	47	51	C-W	MU	162.5
057 202401300	<a href="#">2099 M L K Jr.</a>	Use Permit #ZP2019-0081 to demolish an existing one story 3,595 square foot auto service building and construct a 62,419 square-foot, seven-story, 69' tall, mixed-use building with 72 dwellings (including 5 dwellings available to very low-income households) and 2,448 square feet of ground floor retail space. The project would provide 12 parking spaces and secure storage for 65 bicycles within a grade level garage.	5	0	0	67	72	C-DMU Buffer	MU	257.1
055 189401500	<a href="#">2028 BANCROFT</a>	Use Permit #ZP2017-0103 to relocate an existing single-unit to 1940 Haste Street and construct a 33,539 square-foot, six-story, 65' tall, residential building with 37 dwellings (including 2 Below Market Rate units) and a landscaped courtyard.	2	0	0	35	37	C-DMU	MF	223.4
058 218300101	<a href="#">1601 OXFORD</a>	SB 35 - 34 senior + 1 mgr du + 2 church staff du	21	13	0	3	37	R-3	MU	113.8
058 217001700	<a href="#">1711 M L KING JR</a>	Use Permit & Variance #ZP2018-0189 to (1) replace a 799 square foot nonconforming commercial space with one dwelling, (2) eliminate 2 existing off-street parking spaces, (3) create 700 square feet usable open space, (4) increase the total number of bedrooms on the parcel from 15 to 19; and (5) waive 1 parking space that is required for the proposed dwelling.	0	0	0	1	1	R-2A	MU/MF	50.8
056 197701001	<a href="#">2100 SAN PABLO</a>	Prior use: Vacant single-story commercial - U-Haul. Use Permit Modification #ZP2018-0222 to modify	0	0	0	96	96	C-W	MU	156.8



Preliminary Likely and Pipeline Sites

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Net New Units	Zone	Type	Density (DUA)
		approved Use Permit #ZP2016-0034, which allowed the construction of a 4-story mixed-use building containing a 96-unit Residential Care Facility, by reducing the number of off-street parking spaces from 30 spaces to 26 spaces, adding 9,265 sq. ft. of new gross floor area, and modifying the interior layout of the commercial and residential uses of the approved Residential Care Facility.								
053 159101803	2001 ASHBY	Prior use: Cooperative Center, Federal Credit Union, single-story commercial. SB 35 - 86 BMR + 1 MR. Resubmitted 10/21/2001 SB 35 modification application to PLN2019-0059.	53	33	0	1	87	C-SA	MF	144.1
057 208601300	<a href="#">1173 Hearst</a>	Use Permit #ZP2016-0028 to develop two parcels, including the substantial rehabilitation of the existing seven dwelling units and construction of six new dwelling units. 6 of the 7 rehabilitated units are rent controlled and shall remain rent stabilized. The project proposes to rehabilitate the seven existing dwelling units (three duplexes and one single-family dwelling) and add three two-story duplexes as a common interest development (i.e. condominiums) for a total of seven buildings and 13 dwellings.	0	0	0	6	6	R2-A	MF	42.0
057 207300500	<a href="#">1367 University</a>	Vacant Lot. Use Permit #ZP2019-0173 to construct an approximately 9,273-square-foot, four-story 39-unit Group Living Accommodation (GLA) operating as a Single-Room Occupancy (SRO) Residential Hotel on a vacant parcel.	6	0	0	34	40	C-1	GLA	329.9
052 156317900	2714 Alcatraz Ave	Use Permit #ZP2018-0034 to alter an existing 3,391 square foot, 2-story residential building and an existing 360 square foot, 1-story accessory building to: 1) restore the residential building to its original density of 5 units; 2) expand the basement by 24	0	0	0	5	5	R-2	MF	36.9

ATTACHMENT 1 Preliminary Likely and Pipeline Sites

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Net New Units	Zone	Type	Density (DUA)
		square feet and convert the basement to a dwelling; 3) construct a 21 square foot addition on the first floor; 3) construct a 337 square foot addition on the second floor; 4) reconfigure the floor plans for the four existing units on the first and second floors; and 5) remove an illegal dwelling from the garage to restore 2 off-street parking spaces.								
055 187701902	<a href="#">2580 Bancroft Way</a>	Prior use: one-story multi-tenant commercial, commercial parking garage. Use Permit #ZP2017-0083 to demolish the Bancroft Center Building (25582588 Bancroft Way) and demolish the rear half of the City Landmark Fred Turner Building (2546-2554 Bancroft Way); and to construct a new mixeduse building with approximately 122 dwelling units, 11,000 square feet of ground-floor commercial space, and a 37 parking space subterranean commercial garage.	11	0	0	111	122	C-T	MU	183.1
055 187602101	<a href="#">2542 Durant Ave</a>	Existing parking lot and multi-family residential, Infill. merge two parcels and Use Permit #ZP2016-0172 to construct a new five-story, mixed use building with 32 dwelling units including a Variance request to allow dwelling units on the ground floor next to and behind an existing 12-unit apartment building.	0	0	0	32	32	C-T	MF	149.8
055 182901100	<a href="#">2215 Parker</a>	Vacant Lot. Use Permit #ZP2018-0161 to construct a two-story, 6,001 sq. ft. duplex on a 6,750 sq. ft. vacant parcel.	0	0	0	2	2	R-2A	DP	12.9
057 204600100	<a href="#">1951 SHATTUCK</a>	Existing Use: Hair salon, convenience corner store, clothing retailer. Use Permit #ZP2018-0137 to demolish two existing non-residential buildings and to construct a 12-story, 120-foot tall mixed-use building with 5,000 square feet of commercial space on the ground floor, 156 dwelling units,	0	0	0	156	156	C-DMU	MU	390.0

ATTACHMENT 1 Preliminary Likely and Pipeline Sites

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Net New Units	Zone	Type	Density (DUA)
		and a 100-space subterranean parking garage on a 17,424 squarefoot parcel.								
057 202600405	<a href="#">2190 Shattuck Ave</a>	Prior use: 2-story retail and 2nd story office, ground floor Walgreens. Use Permit #ZP2016-0117 to redevelop a 19,967 square-foot (0.46-acre) site at the northwest corner of Shattuck Avenue and Allston Way with a proposed 18-story building with 274 residential units above approximately 10,000 square feet of ground floor retail space. One hundred and three (103) parking spaces would be provided in a two-level subterranean garage accessed from Allston Way.	0	0	0	274	274	C-DMU	MF	595.7
057 208601400	1155-73 Hearst Ave	7 units rehab; 6 new du	0	0	0	2	2	R2-A	MF	26.1
055 183700100	<a href="#">2556 TELEGRAPH</a>	Prior use: multi-tenant commercial (Streetview 2011 shows Hair studio, spirtual healer, japanese restaurant, electronics store). Use Permit 2015-0096 to (1) demolish an existing 16,000 square-foot, two-story commercial building; and (2) construct a 42,363 square-foot, fivestory, 64'-5" tall, mixed-use building with 22 dwelling units, two Live-Work units, and 3,092 square feet of commercial space.	0	0	0	24	24	C-T	MU	97.5
054 180202000	1516 Carleton	3 SFD on one lot	0	0	0	3	3	R-2	SFD	15.1
056 194401100	<a href="#">2422 Fifth</a>	Office + 2 du on lot with existing duplex	0	0	0	2	2	MU-R	MU/D P	27.9
053 162703701	3015 San Pablo	2 Live/Work added to existing 98 unit (Higby Apts); Conversion of an 1,824 sq. ft. commercial space to two (2) Live/Work Units.	0	0	0	2	2	C-W	L/W	127.4
057 202501300	<a href="#">2000 University</a>	Prior cafe and restaurant use and vacant ground floor commercial. Merge 2 parcels. Use Permit #ZP2020-0134 to demolish one existing commercial and one mixed-use structure containing two dwelling units and construct a new, 8-story mixed-	7	0	0	75	82	C-DMU	MU	571.0

ATTACHMENT 1 Preliminary Likely and Pipeline Sites

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Net New Units	Zone	Type	Density (DUA)
		use building with 82 dwelling units and 1,415 square feet of ground floor commercial space.								
055 188400600	<a href="#">2317 Channing</a>	Existing Use: medical office. Use Permit #ZP2020-0090 to 1) demolish an existing two-story medical building; and 2) construct a 4-story, residential building with 17 dwelling units.	0	0	0	17	17	R-S	MF	114.0
057 208901601	<a href="#">1923 NINTH</a>	Use Permit #ZP2018-0226 to (1) demolish an existing 1,272-square-foot, one-story duplex and (2) construct three detached, three-story, singlefamily dwelling units: 1,856 square feet (Unit A), 2,006 square feet (Unit B), and 1,932 square feet (Unit C).	0	0	0	3	3	R-3	3-SFD	21.4
055 187700100	<a href="#">2590 BANCROFT</a>	Prior use: Multi-Tenant Retail: Urban Outfitters, Inkstone Art Supply, Freedom Flowers. Use Permit #ZP2019-0100 to 1) demolish an existing two-story commercial building; and 2) construct an eight-story, mixed-use building with 87 dwelling units (including five Very Low-Income units), 4,345 square feet of commercial space, 2,566 square feet of usable open space, 40 long-term bicycle parking spaces and zero vehicular parking spaces.	5	0	0	82	87	C-T	MU	288.6
057 210100103	<a href="#">1900 Fourth</a>	Existing Surface Parking Lot. SB 35 Mixed-Use Development with 260 units over 27,500 sf retail, including restaurant and cafe space. Project includes 290 vehicle parking spaces and 140 bike parking spaces. 50% affordable.	0	130	0	130	260	C-W	MU	117.6
054 174400700	<a href="#">2720 San Pablo</a>	Use Permit #ZP2016-0014 to demolish the former automobile service station and construct a 6 story, 60' high mixed-use building, with 25 dwellings (including 2 dwellings available to very low income households) with a total of 97 bedrooms, and 963 square feet of ground floor retail space. The project would include parking	2	0	0	23	25	C-W	MU	113.7

ATTACHMENT 1 Preliminary Likely and Pipeline Sites

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Net New Units	Zone	Type	Density (DUA)
		for 15 automobiles and secure storage for 50 bicycles								
053 162301201	<a href="#">1331 Ashby Ave.</a>	6 du in 3 bldgs	0	0	0	6	6	R-3	DP	35.4
056 194101900	2325 Sixth	Expand an existing one-story, 1,348 sq. ft. single-family residence and alter an existing 6,000 sq. ft. parcel by: 1) raising the existing one-story dwelling 9'2" to create a new 1,676 sq. ft. sq. ft. ground floor dwelling, 2) increasing the total number of bedrooms on the parcel from three to eight, and 3) constructing a two-story, 472 sq. ft. accessory building with an average height of 19'3", located 1'6" from the rear and side yard property line to the south.	0	0	0	1	1	R1-A	MF	14.6
053 168501100	2139 Oregon	2 SFD on one lot	0	0	0	2	2	R-2	SFD	12.9
055 188802700	<a href="#">2236 Channing Way</a>	Use Permit #ZP2017-0015 to convert 1,480 square feet of medical offices, a residential lounge and laundry area, and 3 parking spaces, into three new dwelling units, for a total of 22 dwelling units in an existing 5-story mixed use building.	0	0	0	22	22	R-3	MU	85.1
054 171900100	<a href="#">2701 Shattuck Ave</a>	Prior use: Vacant Auto Dealership. Use Permit #ZP2016-0244 to construct a 5-story, 62'-tall, mixed-use building with 57 dwelling units (including 5 VLI units), a 600-square-foot ground floor quick-service restaurant, and 30 parking spaces.	5	0	0	52	57	C-SA	MU	210.0
055 182201800	<a href="#">2000 Dwight</a>	Existing use: Six 1-3 story contiguous medical office commercial bldgs. Use Permit #2019-0074 to demolish six existing non-residential buildings, and construct a six-story, 113-unit, Community Care Facility for seniors with 40 parking spaces in a subterranean garage.	0	0	0	113	113	R-4	MF	173.4
055 182201303	<a href="#">2015 BLAKE</a>	Prior use: Medical office and parking lot. Use Permit and Final Environmental Impact Report (EIR) for application #ZP2020-0072 to merge seven	9	2	0	150	161	R-4	MF	203.4

**ATTACHMENT 1** Preliminary Likely and Pipeline Sites

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Net New Units	Zone	Type	Density (DUA)
		parcels into two, demolish four existing buildings (one residential building, an associated accessory structure, and two nonresidential buildings), construct two new residential buildings: a three-story, six-unit building with two units affordable to low income households, and a seven-story, 155-unit building with nine units affordable to very low income households and a subterranean garage with 93 parking spaces.								
054 174202900	<a href="#">2795 San Pablo</a>	Use Permit #ZP2019-0048 to demolish an existing single-story single dwelling unit and construct a mixed-use development consisting of three-stories, five units with 600 square feet of commercial space.	0	0	0	5	5	C-W	MU	53.4
<b>TOTAL</b>			<b>172</b>	<b>178</b>	<b>9</b>	<b>2326</b>	<b>2685</b>			

TABLE 5 PIPELINE SITES

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Total Units	Zone	Type	Density (DUA)
<b>Applications Submitted in 2021</b>										
054 178501700	2601 San Pablo	SB-330 application for construction of a new 7-story mixed-use residential development with 194 units, ground level lobbies, commercial, and parking with a state of CA Density Bonus. (Includes removal of existing non-landmarked structures.)	20	0	0	174	194	C-W	MU	408.0
053 159801600	2970 Adeline St	Change two approximately 1,000 sq. ft. commercial spaces to residential dwelling units.	0	0	0	2	2	C-AC	MU	23.2
055 187800400	2439 Durant	Demolition of a two-story 10,554 sq. ft. commercial (restaurant) building, construction of 37,507 sq. ft. 7-story	0	0	0	22	22	C-T	MU	147.4

ATTACHMENT 1 Preliminary Likely and Pipeline Sites

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Total Units	Zone	Type	Density (DU/A)
		mixed-use building with 7,799 sq. ft. commercial space, and 27,532 sq. ft. for 22 dwelling units.								
052 154401200	1519 Fairview	Add a new three-story detached dwelling unit on a 6,750 square foot lot with an existing triplex.	0	0	0	1	1	R2-A	SFD/MF	25.8
057 206201000	1725 Berkeley Way	Demolish existing duplex and construct two new attached three-story single-family residences.	0	0	0	2	2	R2-A	DP	22.4
056 201102600	1776/1782/1790 University	Merge 3 parcels. Demo 3 1-story commercial bldgs (India Fabrics, smog check) SB330 Prelim App. NEW CONSTRUCTION OF A 5-STORY MIXED-USE BUILDING WITH 79 SRO AND COMMON KITCHEN SPACE ON EACH LEVEL + COMMERCIAL SPACE ON GROUND LEVEL. DEMOLITION OF 3 EXISTING ONE-STORY BUILDINGS. C-1	0	11	68	0	79	C-U	MU	353.9
058 217600101	1752 Shattuck	SB-330 UP- Demo existing building. Construct 7-story mixed-use building with 57 dwelling units and group floor commercial.(campus auto care site) .C-1	7	0	0	50	57	C-C	MU	234.2
058 219300600	2441 Le Conte	Existing Starr King School for the Ministry. 1) renovate and change the use of an existing one-story, 5,935 square-foot non-residential building to residential hotel, and 2) construct a four-story residential addition at the rear, resulting in a 17,138 square-foot residential hotel at a maximum height of 48 feet, two inches, containing 50 group living accommodation units and one manager's unit under State Density Bonus law.	n/a	n/a	n/a	51	51	R-4	MF	pending
055 188302700	2328 Channing	Relocate a historic SFR and to construct a new 20-unit, five-story housing project	1	0	0	19	20	R-S	MF	129.1
056 197701101	2136-2154 San Pablo	Demolish an existing two-story nonresidential structure (Kung-Fu Academy, Auto Repair) and (2) to construct a six-story mixed-use building with 123 residential units (five residential stories above a podium), three live-work units at the ground level, and 50 off-street parking spaces in a mechanical lift system.	10	0	0	116	126	C-W	MU	238.0
060 240500100	1201-1205 San Pablo	Existing Vacant Lot. SB 330. Use Permit #ZP2021-0070 to construct a six-story, mixed-use building on a vacant lot,	5	0	0	61	66	C-W	MU	220.0

ATTACHMENT 1 Preliminary Likely and Pipeline Sites

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120 % AMI	>120 % AMI	Total Units	Zone	Type	Density (DU A)
		with 66 units (including five Very Low Income units), 1,720 square feet of commercial space, 2,514 square feet of usable open space, and 17 to 28 ground-level parking spaces.								
057 208700500	1822-1828 San Pablo	SB-330 UP - Demo existing building except ground floor. Construct 5-story mixed-use building with 44 dwelling units and ground floor commercial, incorporating the existing façade. (Albatross bldg.)	12	0	0	32	44	C-W	MU	164.8
057 203201700	130-134 Berkeley Sq	Merge 2 parcels, demo existing 1-story retail shops	0	0	0	50	50	C-DMU core	MU	457.4
053 159200100	3000 Shattuck	Prior gas station. New application, override ZP 2015-0229 for 23 units. Removal of existing 1 story commercial structure & construction of a new 9-story mixed-use building with 156-dwelling units, ground level commercial, and lobbies, with State of California density bonus. C-SA	2	2	0	152	156	C-SA	MU	501.1
059 232500400	776 Page	3 SFD on one lot	0	0	0	3	3	MU-R	SFD	33.0
056 198304201	2147 San Pablo	Existing Use: Beyond Repair Auto Repair. Propose five-story mixed-use project with 42,573 SF and 44 units total (33 base).	11	0	0	33	44	C-W	MU	131.5
059 232500501	1442 Fifth	3 SFD on one lot	0	0	0	3	3	MU-R	SFD	30.0
052 153101202	3233 Ellis	Demolition of existing SFD, construction of three new, detached SFDs.	0	0	0	3	3	R2-A		21.2
052 156800900	2942 College	Vacant Dry Cleaners. Demolish and existing non-residential building and construct a new two-story mixed-use development containing 1,296 sq.ft. of ground floor commercial space and 3,278 sq.ft. of residential space, including four dwelling units, in two separate buildings.	0	0	0	4	4	C-E	MU	28.6
055 188000700	2435 Haste	Demolish a two-story apartment building and construct an 8-story all residential apartment building with 37 dwelling units. Replacement of 8 protected units.	1	4	0	32	37	R-SMU	MF	284.3
055 189600500	2440 Shattuck	Demolition of existing Dollar Tree; Proposed new mixed use building (dollar tree site); 40 New Dwelling Units	3	0	0	37	40	C-DMU Corr	MU	29.9



**ATTACHMENT 1** Preliminary Likely and Pipeline Sites

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Total Units	Zone	Type	Density (DU/A)
055 188100400	2449 Dwight	Construct 4-story addition on existing 4-story building (2015 Chandler building fire); add 27 new Dwelling Units	2	0	0	49	51	C-T	MU	215.7
057 202700900	2065 Kittredge	SB330 UP: for project to demolish the existing Landmark commercial building on Unit B of Parcel Map 6889 (condominium) and construct a 5-story, 216,696 SF, multi-family residential building with 189 units, and 42 underground parking spaces. Density Bonus. (formerly 2211 Harold Way)	11	0	0	178	189	C-DMU Core	MF	245.2
055 182102100	2018 Blake	Demolish fire-damaged SFD and construct a six-story, multi-family residential building with 12 units (including 1 VLI unit), under State Density Bonus. 15% VLI for 50% bonus.	1	0	0	11	12	R-4	MF	100.0
057 203100101	2128 Oxford, 2132-2154 Center	Currently two-story mixed-use (small retailers and restaurants ground floor, office above). Merge two parcels: 057 203101500 and 057 203100101. Demo two existing buildings and construct 17-story mixed-use building, 283 dwelling units, 10,164 sq.ft. commercial	8	8	0	267	283	C-DMU Core	MU	274.9
052 153300103	1708 Harmon	SB35 Preliminary Application Ephesian Church. Demolish three non-residential buildings, and construct a 100% affordable residential, five-story building for seniors, with 82 units, 63 ground-level parking spaces. Utilizes Tier 4, South Adeline, Incentive Development Standards. C-AC	41	41	0	0	82	C-AC	GLA	78.0
<b>Applications Submitted in 2021 Subtotal</b>			<b>135</b>	<b>66</b>	<b>68</b>	<b>1,352</b>	<b>1,621</b>			
<b>Applications Submitted before 2021</b>										
058 217300500	1650 Shattuck	Prior use: dry cleaners. Construct 10 dwelling units, ground floor commercial on site of Virginia Drycleaners	2	0	0	8	10	C-NS		94.7
057 210000708	1914 Fifth	Demo existing single-story boutique retail building and parking lot. 257 dwelling units, ground floor lobby and commercial. two floors of parking. 6 stories. Density Bonus	21	0	0	236	257	C-W	MU	253.9
058 211900900	1716 Seventh Ave	Demo existing single-family dwelling and detached garage, construct two detached, 2-story single-family dwellings.	0	0	0	2	2	R1-A	SFD	18.2
056 200402000	1652 University	New 3-story, 4,196 sf mixed-use building - 3 dwelling units, 5 commercial parking spaces serving existing commercial	0	0	0	3	3	C-U	MU	17.5

**ATTACHMENT 1** Preliminary Likely and Pipeline Sites

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Total Units	Zone	Type	Density (DU/A)
		building. Adjacent to Fox Commons, landmark and large protected oak tree.								
053 159500903	3031 Adeline	Existing Parking lot and 1,000 square foot fast-food bldg and construct a 5-story, 57' tall, 46,948 square foot mixed-use building with 42 dwelling units, 4,324 square feet of commercial space, and 25 parking spaces on a 12,257 square foot lot.	2	0	0	40	42	C-SA	MU	149.3
055 186901600	2716-2718 Durant	Raise a dwelling at the front of the property to create a three-story dwelling; to raise a dwelling at the rear of the lot and construct two new dwellings below; and to not provide the two required parking spaces.	0	0	0	2	2	R-3	MF	28.5
060 244901300	1915 Berryman	Use Permit #ZP2020-0045 to demolish an existing three-unit residential building and construct a four-story residential building with eleven dwelling units.	0	3	0	8	11	R-2A	MF	46.0
056 192701800	2371 San Pablo	Alter existing one-story, 2,105 SF mixed-use building, add two stories, 4 dwelling units, with zero parking spaces, where 8 are required.	0	0	0	4	4	C-W	MU	56.8
053 159001101	2900-2920 Shattuck	Existing True Value Hardware and Model Garage site. Mixed Use with ground floor retail and 90 units (studio and 1br).	n/a	n/a	n/a	90	90	C-SA	MU	200.8
053 168400100	2801 Adeline	Existing Walgreens. Proposed 222 hotel and 84 residential units	18	17	0	49	84	C-AC	MU	76.4
058 217300500	1650 Shattuck	Prior use: dry cleaners. onstruct 10 dwelling units, ground floor commercial on site of Virginia Drycleaners	2	0	0	8	10	C-NS		94.7
<b>Applications Submitted before 2021 Subtotal</b>			<b>43</b>	<b>20</b>	<b>0</b>	<b>442</b>	<b>505</b>			
<b>Anticipated Applications</b>										
058 212901700	1150 Virginia	SB 35 on BUSD property	n/a	68	n/a	68	136	R-2		
053 159202200	2024 Ashby	SB35 Preliminary Application St. Paul's AME Church. Merge two lots and perform lot line adjustment. Demolish two non-residential buildings, and construct a mixed-use, six-story building, with 52 100% affordable units, church entry and offices, 800 SF of commercial, and 19 underground parking	26	26	n/a	n/a	52	C-AC		

**ATTACHMENT 1** Preliminary Likely and Pipeline Sites

APN	Address	Project Description	< 50% AMI	50-80% AMI	80-120% AMI	>120% AMI	Total Units	Zone	Type	Density (DU A)
		spaces. Utilizes Tier 4, North Adeline, Incentive Development Standards.								
055 188500104	2338 Dana	United Methodist Church Development. Rhoades Planning Group	n/a	n/a	n/a	100	100	R-SMU		
053 158702003	3001 Shattuck	Redevelopment of existing enterprise car rental property. Property owner mentioned they were speaking to Rhoades Planning Group during phone call with Planning staff.	n/a	n/a	n/a	n/a	0	C-SA		
<b>Anticipated Applications Subtotal</b>			<b>26</b>	<b>94</b>	<b>0</b>	<b>168</b>	<b>288</b>			

Preliminary Opportunity Sites

TABLE 1: OPPORTUNITY SITES, EXISTING ZONING

APN	Existing FAR	Bldg Age	Vacant	General Plan	Zoning	Comments	Priority	Average Density	Acres	Consol. Lot	Pot'l Units	< 80% AMI	80-120% AMI	> 120% AMI
055 182501900	-	0	0	BC	C-AC		1	210	0.34	BB	72	72		
055 182501502	-	0	0	BC	C-AC		1	210	0.60	BB	127	127		
055 182401600	0.33	0	0	BC	C-AC	auto related use	1	210	0.15	J	32		32	
055 182401400	0.45	0	0	BC	C-AC		1	210	0.43	J	91	91		
055 182301101	0.32	0	0	BC	C-AC		1	210	1.00		209	209		
055 182602000	-	0	0	BC	C-AC	Vacant lot	2	210	0.35		74	74		
052 153201600	0.46	56	0	MDR	C-AC	Church parking lot	2	210	0.47		99	99		
055 182200400	0.68	0	0	BC	C-AC		3	210	0.05	C	11			11
055 182200600	0.79	116	0	BC	C-AC	Similar to rest of block	3	210	0.12	C	25			25
055 182100400	1.39	104	0	BC	C-AC	Similar character as block to the north	3	210	0.09	Z	19			19
055 182100300	1.02	94	0	BC	C-AC	Similar character as block to the north	3	210	0.15	Z	31		31	
052 153101101	-	0	1	NC	C-AC	Parking lot	3	210	0.10		22			22
055 182200500	1.12	93	0	BC	C-AC	Similar to rest of block	3	210	0.11		23			23
055 182200302	0.46	0	0	BC	C-AC		3	210	0.12		24			24
052 152902100	-	0	0	NC	C-AC	Laundromat	3	210	0.14		29			29
055 182200301	-	0	0	BC	C-AC	Alta Bates parking lot	3	210	0.23		48		48	
055 182502000	-	0	0	BC	C-AC		3	210	0.23		49		49	
055 182100101	1.11	0	0	BC	C-AC	Similar character as block to the north	3	210	0.30		62	62		
055 182102402	0.87	0	0	BC	C-AC		3	210	0.31		65	65		
052 157602701	0.42	57	0	BC	C-C	Parking lot	1	125	0.63		79	79		
055 184002401	0.58	64	0	BC	C-C	CVS	1	125	1.04		130	130		
058 217500400	0.31	74	0	BC	C-C	Low level retail	3	125	0.05	AP	6			6
058 217500500	0.69	54	0	BC	C-C	Low level retail	3	125	0.06	AP	8			8
058 217500600	-	98	0	BC	C-C	Low-level commercial	3	125	0.06		7			7
057 205000500	0.18	57	0	BC	C-C	Surface parking with food service at the corner of Hearst and Shattuck	3	125	0.15		19			19
055 183500901	0.21	57	0	BC	C-C	High-turnover restaurants	3	125	0.26		33		33	
052 157307601	0.26	111	0	BC	C-C	Parking lot	3	125	0.29		36		36	

Preliminary Opportunity Sites

APN	Existing FAR	Bldg Age	Vacant	General Plan	Zoning	Comments	Priority	Average Density	Acres	Consol. Lot	Pot'l Units	< 80% AMI	80-120% AMI	> 120% AMI
055 183600603	0.09	64	0	BC	C-C	Auto related use/laundromat	3	125	0.30		38		38	
057 202801200	0.37	0	0	DT	C-DMU Buff		1	150	0.06	BC	9			9
057 202801300	0.05	0	0	DT	C-DMU Buff	Parking lots	1	150	0.27	BC	40		40	
055 189700103	0.99	0	0	BC	C-DMU Buff		1	150	0.17	W	26			26
055 189700600	0.76	103	0	BC	C-DMU Buff		1	150	0.35	W	53	53		
057 205901200	0.64	0	0	DT	C-DMU Buff	1-story Flamingo Cleaners	3	150	0.10	A	15			15
057 205900900	1.00	42	0	DT	C-DMU Buff	1-story retail, Hot Tubs	3	150	0.11	A	17			17
057 205900800	0.64	96	0	DT	C-DMU Buff	2-story commercial, Restaurant ground floor, office above	3	150	0.11	F	17			17
057 205900700	0.70	58	0	DT	C-DMU Buff	1-story retail, Cyclebar	3	150	0.11	F	17			17
057 205900101	0.90	93	0	DT	C-DMU Buff	Two vacant 1-story retail, for sale	3	150	0.07		11			11
057 205901000	0.96	70	0	DT	C-DMU Buff	1-story bldg, Berkeley Wellness Center	3	150	0.11		17			17
055 189201102	0.19	0	0	HDR	C-DMU Buff	Parking lot	3	150	0.17		26			26
057 202200902	0.61	0	0	DT	C-DMU Buff	Parking lot	3	150	0.25		37		37	
055 189600600	-	0	0	BC	C-DMU Buff	Parking lot	3	150	0.18		28			28
057 203000100	3.48	91	0	DT	C-DMU Core		2	320	0.41		130	130		
057 203400300	-	0	0	DT	C-DMU Core		3	320	0.11	AM	34		34	
057 203400400	-	0	0	DT	C-DMU Core	Surface parking lot	3	320	0.14	AM	46		46	
057 203201800	-	91	0	DT	C-DMU Core	Underutilized	3	320	0.05		18			18

Preliminary Opportunity Sites

APN	Existing FAR	Bldg Age	Vacant	General Plan	Zoning	Comments	Priority	Average Density	Acres	Consol. Lot	Pot'l Units	< 80% AMI	80-120% AMI	> 120% AMI
057 202300200	1.23	0	0	DT	C-DMU Core	1-2 story retail downtown	3	320	0.07	M	23			23
057 202300300	1.20	91	0	DT	C-DMU Core	1-2 story retail downtown	3	320	0.09	M	28			28
057 203001200	1.10	0	0	DT	C-DMU Core		3	320	0.07		22			22
057 202600412	0.85	0	0	DT	C-DMU Core		3	320	0.11		34		34	
057 202500400	0.57	66	0	DT	C-DMU Core		3	320	0.12		38		38	
057 202500100	2.66	73	0	DT	C-DMU Core	Citibank	3	320	0.13		41		41	
057 202301601	4.19	0	0	DT	C-DMU Core		3	320	0.16		52	52		
057 202501900	1.02	104	0	DT	C-DMU Core	Goodwill	3	320	0.19		60	60		
057 202500502	0.94	101	0	DT	C-DMU Core		3	320	0.27		86	86		
057 203401200	0.78	0	0	DT	C-DMU Core	half vacant retail	3	320	0.32		103	103		
055 189600200	0.66	74	0	BC	C-DMU Corr		3	150	0.03	AV	5			5
055 189600300	1.38	81	0	BC	C-DMU Corr		3	150	0.09	AV	14			14
055 189600400	0.82	0	0	BC	C-DMU Corr		3	150	0.11	AV	16			16
057 205100500	0.98	0	0	DT	C-DMU Corr	Low level commercial	3	150	0.08		12			12
055 189101101	-	0	0	HDR	C-DMU Corr	Private ROW	3	150	0.09		13			13
055 189201600	1.03	93	0	HDR	C-DMU Corr	Pegasus Books	3	150	0.21		31		31	
055 189302000	0.30	0	0	DT	C-DMU Oute	Mechanics Bank parking	2	225	0.14	AS	32		32	

Preliminary Opportunity Sites

APN	Existing FAR	Bldg Age	Vacant	General Plan	Zoning	Comments	Priority	Average Density	Acres	Consol. Lot	Pot'l Units	< 80% AMI	80-120% AMI	> 120% AMI
055 189301600	-	0	0	DT	C-DMU Oute	Mechanics Bank	2	225	0.22	AS	50	50		
057 202900702	3.22	60	0	DT	C-DMU Oute	Parking deck (may be UC owned)	2	225	0.46		103	103		
055 189301300	-	0	0	DT	C-DMU Oute	Restaurant	3	225	0.03	G	6			6
055 189301200	-	0	0	DT	C-DMU Oute	Union Bank building	3	225	0.21	G	48		48	
057 205300200	1.13	0	0	DT	C-DMU Oute		3	225	0.12	O	26			26
057 205300100	1.07	100	0	DT	C-DMU Oute	Low level commercial	3	225	0.15	O	33		33	
057 205300302	1.14	21	0	DT	C-DMU Oute		3	225	0.03		7			7
057 205301402	0.87	0	0	DT	C-DMU Oute	2-story commercial, ground floor saree shop	3	225	0.10		22			22
055 189301100	-	0	0	DT	C-DMU Oute	Union Bank parking	3	225	0.14		31		31	
055 189300100	0.73	68	0	DT	C-DMU Oute	Underutilized retail parcel	3	225	0.18		39		39	
057 205301100	0.49	96	0	DT	C-DMU Oute	1-story retail, restaurant, tailor shop. Surface parking behind accessed from Berkeley Way	3	225	0.20		45		45	
057 205300801	0.81	69	0	DT	C-DMU Oute	Ground floor retail, commercial office above. Surface and covered parking in rear.	3	225	0.27		60	60		
060 243503101	0.51	0	0	NC	C-N	Red Oak Realty and parking lot, Reused 5th cycle	1	50	0.23	AI	12			12
060 243502801	0.44	43	0	NC	C-N	Salon and storage yard	1	50	0.31	AI	16			16
060 243402001	0.30	0	0	NC	C-N	Monterey Market and surface lot	1	50	0.70		35		35	
057 206300601	0.84	40	0	NC	C-N	Berkeley Plaza, 1-2 story retail, commercial	2	50	0.38		19			19
064 423500804	0.07	0	0	NC	C-N		2	50	0.40		20			20
064 423600400	0.14	58	0	NC	C-N	Chevron gas station	3	50	0.31		15			15

Preliminary Opportunity Sites

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052 141001601	1.32	0	0	NC	C-N	2-story retail, office above retail, and surface parking	3	50	0.33		17			17
059 226301001	0.44	0	0	NC	C-NS	Grocery store with surface parking	1	50	1.95	H	98	98		
058 217801800	0.83	0	0	NC	C-NS	Part of the lot at the corner of Virginia and Shattuck has existing residential units.	1	50	0.52		26			26
058 217802401	0.41	0	0	NC	C-NS	Old Walgreens/CVS with surface parking	1	50	0.69		34		34	
060 245506401	1.60	0	0	NC	C-NS(H)		2	50	0.37		19			19
060 245506700	0.34	0	0	NC	C-NS(H)	Retail and surface parking	3	50	0.24		12			12
053 168502001	0.02	52	0	BC	C-SA	Buggy bank	2	180	0.43		78	78		
053 159000501	0.56	66	0	NC	C-SA	auto related use	2	180	0.45		81	81		
053 159400200	0.46	94	0	NC	C-SA		3	180	0.24		43		43	
053 168602000	0.31	0	0	BC	C-SA		3	180	0.26		46		46	
055 183901901	1.04	0	0	BC	C-T	2587 Telegraph, 2-story, ground floor retail and office	2	160	0.43		69	69		
055 183700200	1.18	0	0	BC	C-T	2 story retail	3	160	0.14		23			23
055 187602300	1.36	0	0	BC	C-T	Games of Berkeley	3	160	0.17		28			28
055 187701100	0.93	92	0	BC	C-T	Bank of America	3	160	0.24		39		39	
057 208502600	0.19	82	0	BC	C-U		1	150	0.47	B	71	71		
057 207300400	0.80	0	0	BC	C-U	1375 University - Copy World print shop - single story retail	2	150	0.23	L	34		34	
057 207200800	0.23	0	0	BC	C-U	Coffeebar, mostly parking lot	2	150	0.35		52	52		
056 201102501	1.36	109	0	BC	C-U	Church; parking lot	2	150	0.47		71	71		
057 207300300	0.42	0	0	BC	C-U	Parking Lot	3	150	0.12	AA	19			19
057 207300200	0.68	81	0	BC	C-U	Ledgers Liquor, single story retail	3	150	0.13	AA	19			19
057 208500702	-	0	0	BC	C-U	Laundromat	3	150	0.08	AO	13			13
057 208500801	-	0	0	BC	C-U	single-story restaurant	3	150	0.11	AO	16			16
057 207100300	-	0	0	MDR	C-U	Surface parking lot, same property owner as adjacent parking	3	150	0.13		20			20
057 207100400	-	0	0	BC	C-U	Surface parking lot	3	150	0.14		22			22
056 200302401	0.67	62	0	BC	C-U		3	150	0.16		25			25
056 200302500	2.18	0	0	BC	C-U		3	150	0.17		26			26



Preliminary Opportunity Sites

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057 207000300	0.14	0	0	BC	C-U	Mike's Auto Services, Reused 5th cycle	3	150	0.19		29			29
057 208500701	-	0	0	BC	C-U	Single-story corner fast food	3	150	0.21		31		31	
057 207300800	0.30	83	0	BC	C-U	Wooly Mammoth Child Care Center, single-story	3	150	0.23		35		35	
057 206000200	0.74	74	0	BC	C-U	Joe's Tire shop and surface parking	3	150	0.24		36		36	
056 197900100	0.17	0	0	BC	C-U	Auto car wash	3	150	0.28		41		41	
057 206100601	0.65	65	0	BC	C-U	2-story Quality Inn motel and surface lot	3	150	0.28		42		42	
057 207000901	0.59	69	0	BC	C-U	2-story Super 8 Motel and surface parking	3	150	0.29		43		43	
056 200300100	0.28	0	0	BC	C-U	Parking lot, at least	3	150	0.29		44		44	
057 201601801	0.27	53	0	BC	C-U	Nation's Burgers; parking lot	3	150	0.30		45		45	
053 166201701	1.32	73	0	BC	C-W		1	135	0.15	AF	20			20
053 166201900	-	0	0	BC	C-W		1	135	0.17	AF	23			23
057 209700106	-	71	0	BC	C-W	2 buildings, single-story retail	1	135	0.24	AK	32		32	
057 209701401	0.70	0	0	BC	C-W	811 University, 2-story retail (yoga, spa)	1	135	0.86	AK	116	116		
060 235401200	0.74	0	0	BC	C-W	Surface parking	1	135	0.15	AN	20			20
060 235401100	0.66	0	0	BC	C-W	Surface parking	1	135	0.19	AN	26			26
060 235401302	0.82	0	0	BC	C-W	Surface parking	1	135	0.32	AN	43		43	
058 212800801	0.88	75	0	BC	C-W	Vacant storage	1	135	0.14	AQ	19			19
058 212800301	0.42	71	0	BC	C-W	Golden Bear Inn, also in 5th cycle	1	135	0.85	AQ	115	115		
057 208801100	-	0	0	BC	C-W	Surface parking lot	1	135	0.30	AY	40		40	
057 208501500	-	66	0	BC	C-W	small BBQ kiosk	1	135	0.20	B	27			27
057 208502500	0.50	96	0	BC	C-W	Surface parking, BBQ kiosk, 99 Cent store	1	135	0.40	B	54	54		
057 210100500	0.13	0	0	BC	C-W	1900 Fourth St SB 35 project. 260 units.	1	135	1.03		140	140		
059 228702500	1.07	82	0	BC	C-W	vacant 1-story storefront	1	135	0.11	Y	14			14
059 228702400	0.82	98	0	BC	C-W	1-story retail, party store	1	135	0.11	Y	15			15
059 228702102	0.98	66	0	BC	C-W	1-2 story commercial, frontage in good condition, but For Sale	1	135	0.30	Y	41		41	
060 235401001	-	0	0	BC	C-W	1-story retail (liquor, dollar tree)	1	135	0.61		82	82		
059 233100200	0.89	99	0	BC	C-W	Furniture strip retail and surface parking	1	135	0.67		90	90		

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056 198303103	1.49	33	0	BC	C-W	Berkeley Self Storage	1	135	0.70		95	95		
056 193200803	0.06	59	0	BC	C-W		1	135	0.73		99	99		
056 198304001	0.08	54	0	BC	C-W	Jack in the Box	2	135	0.40		54	54		
060 240502100	-	0	0	M	C-W	1-story garage or storage	2	135	0.06	AC	8			8
060 240502000	0.11	0	0	AC	C-W	Smog shop	2	135	0.29	AC	39		39	
058 212701200	0.79	0	0	BC	C-W	Building Materials Store	2	135	0.07	AD	10			10
058 212701101	0.88	0	0	BC	C-W	Parking for Bldg Materials Store	2	135	0.14	AD	18			18
058 212700901	0.40	76	0	BC	C-W	1-story retail (Cafe Leila, accessories shop) and surface parking	2	135	0.26	AD	35		35	
053 166101900	0.17	99	0	BC	C-W	Includes existing SFH	2	135	0.20	AG	27			27
053 166101801	-	0	0	BC	C-W		2	135	0.26	AG	36		36	
060 240401801	0.04	0	0	BC	C-W	Chevron Gas Station - in good condition	2	135	0.21	AH	28			28
060 240402000	0.67	0	0	BC	C-W	Autobody shop and surface parking	2	135	0.22	AH	29			29
053 166101400	1.48	63	0	BC	C-W	One story commercial	2	135	0.15	AL	21			21
053 166101501	-	0	0	BC	C-W	One story commercial	2	135	0.31	AL	42		42	
060 241000500	0.29	0	0	AC	C-W	Gilman Auto shop	2	135	0.17	BD	23			23
060 241000700	-	0	0	AC	C-W	Used car dealer lot	2	135	0.29	BD	39		39	
054 178501400	-	0	0	M	C-W		2	135	0.08	D	10			10
054 178501300	0.38	0	0	BC	C-W		2	135	0.11	D	15			15
054 178501500	0.39	96	0	BC	C-W		2	135	0.11	D	15			15
054 178501600	0.69	96	0	BC	C-W		2	135	0.19	D	25			25
057 208901201	-	78	0	BC	C-W	1011 University Ave. City-owned. Closed Premier Cru wine store.	2	135	0.24	N	32		32	
054 174402205	0.70	0	0	BC	C-W		2	135	0.36		48		48	
056 192802701	0.02	68	0	BC	C-W		2	135	0.36		49		49	
057 209301501	0.60	33	0	BC	C-W		2	135	0.37		50	50		
056 198200201	0.35	80	0	BC	C-W	Parking lot	2	135	0.42		57	57		
054 174203200	0.61	73	0	BC	C-W		2	135	0.42		57	57		
057 208602903	0.52	43	0	BC	C-W	Nate's Green Garage, auto detailing	2	135	0.42		57	57		
056 193200401	0.19	0	0	BC	C-W		2	135	0.44		59	59		
056 195401000	0.86	0	0	BC	C-W		2	135	0.44		60	60		

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056 197300601	1.53	93	0	BC	C-W	UA Homes parking lot: possible opp site	2	135	0.46		62	62		
056 197800802	0.81	0	0	BC	C-W		2	135	0.46		62	62		
054 174203300	0.40	95	0	BC	C-W		3	135	0.07	BA	10			10
054 174203400	0.49	95	0	BC	C-W		3	135	0.08	BA	11			11
060 239501700	1.38	79	0	BC	C-W	Vacant 1-story corner commercial	3	135	0.07	E	9			9
060 239503400	0.38	0	0	BC	C-W	Auto body shop (M and M Garage)	3	135	0.10	E	14			14
053 166202100	0.94	0	0	BC	C-W	BPOE Lodge (permanently closed)	3	135	0.08	I	11			11
053 166202000	0.86	0	0	BC	C-W		3	135	0.09	I	13			13
060 239503100	-	0	0	BC	C-W	1-story auto shop	3	135	0.05	P	7			7
060 239503301	1.94	70	0	BC	C-W	Vacant storefront for sale	3	135	0.15	P	20			20
060 239502900	0.89	0	0	BC	C-W	Auto Repair	3	135	0.06	T	8			8
060 239503000	-	0	0	M	C-W	Surface auto storage	3	135	0.11	T	15			15
060 239502800	-	0	0	BC	C-W	Vacant 1-story commercial	3	135	0.05		7			7
056 192802000	-	0	0	M	C-W		3	135	0.09		12			12
054 178501200	0.76	96	0	BC	C-W		3	135	0.09		12			12
056 197601201	1.01	0	0	BC	C-W		3	135	0.09		13			13
059 233100400	0.25	105	0	BC	C-W	SFD, owned by Sontag Construction	3	135	0.10		13			13
059 233100300	0.23	105	0	BC	C-W	SFD, owned by Sontag Construction	3	135	0.10		14			14
060 239500100	2.41	0	0	BC	C-W		3	135	0.11		14			14
057 208700600	1.61	0	0	BC	C-W	Car sales lot	3	135	0.11		15			15
060 239601600	1.02	0	0	BC	C-W	Auto storage	3	135	0.11		15			15
060 240502401	-	0	0	M	C-W	Vacant, for sale sign	3	135	0.12		16			16
057 208800600	-	0	0	M	C-W	surface parking storage area	3	135	0.14		19			19
056 192602100	-	0	0	BC	C-W		3	135	0.14		19			19
060 235300900	0.79	0	0	BC	C-W	1-story corner autobody shop	3	135	0.15		20			20
058 212801000	0.71	36	0	BC	C-W	Vacant Store and rear storage (Berkeley Surplus)	3	135	0.15		20			20
060 239000500	-	0	0	M	C-W	McDonald's overflow surface parking	3	135	0.15		20			20
060 235301000	1.00	0	0	BC	C-W	1-story corner autorepair shop	3	135	0.15		20			20
060 239601400	0.89	48	0	BC	C-W	1-story auto storage, Avenue Towing	3	135	0.16		21			21
060 239501600	1.18	0	0	BC	C-W		3	135	0.17		22			22

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056 192801800	0.54	0	0	BC	C-W		3	135	0.17		23			23
053 166200101	1.15	0	0	BC	C-W	Vacant lot	3	135	0.17		23			23
060 239601500	1.60	75	0	BC	C-W	Auto Repair shop	3	135	0.17		23			23
060 240503101	-	0	0	M	C-W	2 adjacent vacant lots with same owner	3	135	0.17		23			23
056 192602000	-	0	0	BC	C-W		3	135	0.19		26			26
054 178601401	0.26	63	0	BC	C-W		3	135	0.19		26			26
056 197601003	1.09	0	0	BC	C-W		3	135	0.22		29			29
056 198303400	0.36	0	0	BC	C-W	Parking lot	3	135	0.22		30		30	
060 240502700	-	0	0	M	C-W	101 Auto Body shop	3	135	0.22		30		30	
056 197601700	0.27	32	0	BC	C-W	Oil Changers	3	135	0.22		30		30	
057 208700300	0.98	0	0	BC	C-W	Berkeley Glass center, single-story retail	3	135	0.23		31		31	
056 198303801	0.33	0	0	BC	C-W	Vehicle storage lot	3	135	0.24		32		32	
053 164100905	0.01	37	0	BC	C-W		3	135	0.24		32		32	
057 209601001	0.08	0	0	BC	C-W	Chevron Station (on same block as Valero station)	3	135	0.24		33		33	
054 178601600	0.27	0	0	BC	C-W	Big O Tires	3	135	0.25		34		34	
053 162901901	0.10	0	0	BC	C-W	Berkeley Smog Check	3	135	0.25		34		34	
057 208800400	-	0	0	BC	C-W	Vacant lot	3	135	0.27		36		36	
057 210201003	-	0	0	M	C-W	Surface parking behind 4th street, same owner for all parking	3	135	0.28		37		37	
056 197601501	0.69	0	0	BC	C-W	Smog	3	135	0.30		41		41	
054 178401900	0.36	0	0	BC	C-W		3	135	0.33		44		44	
056 193302403	0.13	0	0	BC	C-W	Berkeley Patients Group (cannabis retail)	3	135	0.33		44		44	
056 193201101	0.51	0	0	BC	C-W		3	135	0.33		44		44	
056 196600100	0.04	0	0	BC	C-W	City-owned building	3	135	0.34		46		46	
056 193300602				BC	C-W		1	135	1.03		139	139		
055 185904301	-	0	1	LDR	ES-R		3	1	0.17		0			0
057 209700201	-	0	0	MU	MUR	1900 Sixth St. City-owned, W Berkeley Senior Center	1	24.4	0.76	AK	19			19
056 194301001	0.86	0	0	MU	MUR		1	24.4	0.45	BF	11			11
056 194301901	0.65	64	0	MU	MUR		1	24.4	1.08	BF	26			26

Preliminary Opportunity Sites

APN	Existing FAR	Bldg Age	Vacant	General Plan	Zoning	Comments	Priority	Average Density	Acres	Consol. Lot	Pot'l Units	< 80% AMI	80-120% AMI	> 120% AMI
057 211700500	-	40	0	MU	MUR	Golden Bear Storage	1	24.4	0.13	V	3			3
057 211700903	-	61	0	MU	MUR	Golden Bear Storage	1	24.4	0.45	V	11			11
057 211700601	-	45	0	MU	MUR	Golden Bear Storage	1	24.4	0.45	V	11			11
056 194500102	-	51	0	MU	MUR		1	24.4	0.59		14			14
056 196101601	0.69	0	0	MU	MUR	Potential redevelopment	1	24.4	0.59		14			14
054 174701100	0.62	0	0	MU	MUR		1	24.4	0.76		19			19
058 211802202	0.53	0	0	MU	MUR	Libby Labs (still in operation), but not sure if full capacity	1	24.4	1.38		34			34
054 174501804	1.00	0	0	MU	MUR		1	24.4	1.57		38			38
056 196301506	1.85	0	0	MU	MUR		1	24.4	1.69		41			41
053 165901605	0.18	111	0	MU	MUR	Global Montessori (big parking lot)	1	24.4	2.03		50			50
056 195901704	-	0	0	MU	MUR	Parking lot	2	24.4	0.13	AX	3			3
056 195901705	-	0	0	MU	MUR	Parking lot	2	24.4	0.28	AX	7			7
056 195800301	0.09	0	0	MU	MUR	Parking lot	2	24.4	0.49		12			12
059 232500301	-	78	0	MU	MUR	770 Page, pipeline project, 4 detached units	3	24.4	0.13		3			3
057 211701100	-	0	0	MU	MUR	Publicly owned, Vacant lot in MUR	3	24.4	0.13		3			3
053 166102000	0.56	93	0	MU	MUR		3	24.4	0.13		3			3
057 211700402	-	0	0	MU	MUR	Vacant commercial, for sale	3	24.4	0.15		4			4
053 165902900	-	0	1	MU	MUR		3	24.4	0.15		4			4
056 194500501	-	0	0	MU	MUR		3	24.4	0.17		4			4
053 165802801	-	0	1	MU	MUR		3	24.4	0.20		5			5
061 261100400	-	0	0	LDR	R-1	914 Fresno Ave - Andronico's parking	1	6	0.11	AU	1			1
061 261102503	0.17	0	0	LDR	R-1	Andronico's parking	1	6	0.23	AU	1			1
061 261102504	0.11	0	0	LDR	R-1	915 Colusa Ave - Andronico's parking lot	1	6	0.35	AU	2			2
058 218301300	-	0	1	LDR	R-1	Vacant lot, Reused 5th cycle, R-1 Zone	3	6	0.11		1			1
058 218400700	-	0	1	LDR	R-1	Vacant lot. Reused 5th cycle, R-1 zone, different owner from adjacent parcels	3	6	0.16		1			1
057 209300300	-	0	0	MDR	R-1A	Vacant lot used by 914 Hearst as garden	3	15	0.14		2			2
061 257504001	-	0	0		R-1H		1	6	0.54		3			3

Preliminary Opportunity Sites

APN	Existing FAR	Bldg Age	Vacant	General Plan	Zoning	Comments	Priority	Average Density	Acres	Consol. Lot	Pot'l Units	< 80% AMI	80-120% AMI	> 120% AMI
063 298601200	-	0	0	LDR	R-1H	4 contiguous vacant lots by same owner, different from adjacent owners	1	6	0.12	AE	1			1
063 298601300	-	0	0	LDR	R-1H	4 contiguous vacant lots by same owner, different from adjacent owners	1	6	0.14	AE	1			1
063 298601400	-	0	0	LDR	R-1H	4 contiguous vacant lots by same owner, different from adjacent owners	1	6	0.16	AE	1			1
063 298601501	-	0	0	LDR	R-1H	4 contiguous vacant lots by same owner, different from adjacent owners	1	6	0.18	AE	1			1
063 314000800	-	0	0	LDR	R-1H	Vacant lot, different owner from adjacent lots	1	6	0.33	BE	2			2
063 314000700	-	0	0	LDR	R-1H	Vacant lot, owned by adjacent lot 39 THE CRESCENT	1	6	0.35	BE	2			2
063 316002000	-	0	0	LDR	R-1H	same owner as adj lot, 37 HILL RD BERKELEY, but separated, vacant	1	6	0.24	S	1			1
063 316001402	-	0	1	LDR	R-1H	Vacant Lot, different owners from adj lots	1	6	0.98	S	6			6
061 255801700	-	0	0	OS	R-1H	1130 Oxford St - Former Oxford Elementary School site (seismic retrofitting needed)	1	6	1.26		8			8
058 223202100	-	0	1	LDR	R-1H	Same owners as 5 W PARNASSUS CT sold in 9/2020, gentle slope,	2	6	0.19	Q	1			1
058 223202000	-	0	1	LDR	R-1H	Same owners as 5 W PARNASSUS CT sold in 9/2020, gentle slope,	2	6	0.21	Q	1			1
060 248201800	-	0	0	LDR	R-1H	Vacant lot, Same owner of two adjacent vacant parcels	2	6	0.20	X	1			1
060 248201700	-	0	0	LDR	R-1H	Vacant lot, Same owner of two adjacent vacant parcels	2	6	0.21	X	1			1
061 257800601	-	0	0	LDR	R-1H	Vacant lot	2	6	0.35		2			2
063 295202300	-	0	0	LDR	R-1H	Acacia walk through, but advertised for development	2	6	0.37		2			2
060 249306800	-	0	1	LDR	R-1H	Same owner owns both adjacent vacant parcels	3	6	0.12	AT	1			1
060 249301000	-	0	1	LDR	R-1H	Vacant lot, different property owner from adjacent parcels	3	6	0.14	AT	1			1
062 293602600	0.50	0	0	LDR	R-1H	Vacant lot	3	6	0.11		1			1

Preliminary Opportunity Sites

APN	Existing FAR	Bldg Age	Vacant	General Plan	Zoning	Comments	Priority	Average Density	Acres	Consol. Lot	Pot'l Units	< 80% AMI	80-120% AMI	> 120% AMI
060 249300600	-	0	1	LDR	R-1H	Same owner owns both adjacent vacant parcels	3	6	0.11		1			1
060 249300500	-	0	1	LDR	R-1H	Same owner owns both adjacent vacant parcels	3	6	0.12		1			1
063 298602200	-	0	0	LDR	R-1H	New APN	3	6	0.12		1			1
063 298405300	-	0	1	LDR	R-1H	Vacant lot, property owner different from adjacent lots	3	6	0.12		1			1
058 224201624	-	0	1	LDR	R-1H	Vacant lot, Different owners from adjacent parcels	3	6	0.12		1			1
060 249307100	-	0	1	LDR	R-1H	Vacant lot, owner is different from adjacent properties	3	6	0.12		1			1
063 295203400	-	0	0	LDR	R-1H	Vacant lot	3	6	0.12		1			1
060 248902100	-	0	1	LDR	R-1H	Vacant lot, different owners from adjacent parcels	3	6	0.12		1			1
060 249001400	-	0	1	LDR	R-1H	Same property owner as adjacent vacant lot	3	6	0.12		1			1
061 257805200	-	0	1	LDR	R-1H	Vacant lot	3	6	0.12		1			1
063 298001900	-	0	0	LDR	R-1H	Vacant lot, different owner from adjacent lots	3	6	0.12		1			1
063 296305200	-	0	0	LDR	R-1H		3	6	0.12		1			1
063 299302300	-	0	1	LDR	R-1H	Vacant lot, different owners from adj lots, bought in 2014	3	6	0.12		1			1
060 248205100	-	0	0	LDR	R-1H	Vacant lot, different owner from all adjacent parcels	3	6	0.12		1			1
060 247902700	-	0	0	LDR	R-1H	Vacant lot, same owner as adjacent 1421 GLENDALE AVE	3	6	0.13		1			1
063 298405200	-	0	0	LDR	R-1H	Vacant lot, property owner different from adjacent lots	3	6	0.13		1			1
060 249001500	-	0	1	LDR	R-1H	Same property owner as adjacent vacant lot	3	6	0.13		1			1
061 258102500	-	0	0	LDR	R-1H		3	6	0.13		1			1
060 248304300	-	0	1	LDR	R-1H	Vacant lot outside of creek setback, different owner from adjacent parcel	3	6	0.13		1			1

Preliminary Opportunity Sites

APN	Existing FAR	Bldg Age	Vacant	General Plan	Zoning	Comments	Priority	Average Density	Acres	Consol. Lot	Pot'l Units	< 80% AMI	80-120% AMI	> 120% AMI
058 224402501	-	0	0	LDR	R-1H	Vacant lot, different property owner from adjacent parcels	3	6	0.13		1			1
060 247801503	-	0	1	LDR	R-1H	Vacant lot	3	6	0.13		1			1
060 248505600	-	0	1	LDR	R-1H	Vacant lot	3	6	0.13		1			1
063 298804900	-	0	0	LDR	R-1H	Vacant lot, different owner from adj. lots	3	6	0.13		1			1
063 298804600	-	0	1	LDR	R-1H	Vacant lot, looks like formerly a structure on the site but since demo'd	3	6	0.14		1			1
063 314008700	-	0	0	LDR	R-1H	Vacant lot sold as part of 1040 Overlook Rd in 2021 to investor	3	6	0.14		1			1
063 297002700	-	0	0	LDR	R-1H	vacant lot, different owner from adj lots	3	6	0.14		1			1
063 295504001	-	0	1	LDR	R-1H	Steep topography, but still developable	3	6	0.14		1			1
063 298804400	-	0	1	LDR	R-1H	Vacant lot, owned by family member of adjacent lot 1152 KEITH AVE	3	6	0.14		1			1
062 290202100	-	0	0	LDR	R-1H	Vacant lot	3	6	0.14		1			1
060 248301600	-	0	1	LDR	R-1H		3	6	0.14		1			1
061 257804600	-	0	0	LDR	R-1H	Vacant lot	3	6	0.14		1			1
062 290002300	-	0	1	LDR	R-1H	Vacant lot	3	6	0.14		1			1
063 298505000	-	0	1	LDR	R-1H	Vacant lot sold in 2017	3	6	0.14		1			1
060 248400303	-	0	1	LDR	R-1H	Vacant lot, different owner from all adjacent parcels	3	6	0.15		1			1
060 249306700	-	0	1	LDR	R-1H	Same owner owns both adjacent vacant parcels	3	6	0.15		1			1
063 298503300	-	0	0	LDR	R-1H	Vacant lot, different owner from adjacent lots	3	6	0.15		1			1
060 249201703	-	0	1	LDR	R-1H	Vacant lot, different owners from all adjacent parcels	3	6	0.15		1			1
060 249200300	-	0	1	LDR	R-1H	Developable vacant lot, owned by same owner as adjacent 1427 Summit Rd.	3	6	0.15		1			1
060 246302100	-	0	0	LDR	R-1H		3	6	0.16		1			1
063 298000501	-	0	0	LDR	R-1H	Vacant lot, owner different from all adjacent lots	3	6	0.16		1			1
061 259804401	-	0	1	LDR	R-1H	Vacant lot	3	6	0.16		1			1
063 312002702	-	0	0	LDR	R-1H		3	6	0.16		1			1



Preliminary Opportunity Sites

APN	Existing FAR	Bldg Age	Vacant	General Plan	Zoning	Comments	Priority	Average Density	Acres	Consol. Lot	Pot'l Units	< 80% AMI	80-120% AMI	> 120% AMI
058 221102001	-	0	1	LDR	R-1H	Vacant lot, but different owner from adjacent parcels	3	6	0.16		1			1
060 249201704	-	0	1	LDR	R-1H	Vacant lot sold in 2017, different owners from adjacent parcels	3	6	0.16		1			1
063 314000900	-	0	0	LDR	R-1H	Vacant lot, different owner from adjacent lots	3	6	0.16		1			1
063 314002902	-	0	0	LDR	R-1H	Vacant lot, purchased by owner of adj lot 52 THE CRESCENT in Oct 2020	3	6	0.17		1			1
063 298504400	-	0	0	LDR	R-1H	Same owner as 1197 CRAGMONT AVE, sold in 2019	3	6	0.17		1			1
063 297404000	-	0	1	LDR	R-1H	Steep topography, but still developable	3	6	0.18		1			1
063 312006100	-	0	0	LDR	R-1H		3	6	0.19		1			1
063 298603900	-	0	0	LDR	R-1H	Vacant lot, same property owner as adjacent 2785 SHASTA RD sold in 2017	3	6	0.19		1			1
064 422900215	-	0	1	LDR	R-1H	Vacant lot	3	6	0.23		1			1
063 298305000	-	0	0	LDR	R-1H	Vacant lot, owner different from all adjacent lots	3	6	0.23		1			1
063 297806600	-	0	1	LDR	R-1H		3	6	0.26		2			2
063 316002202	-	0	0	LDR	R-1H	vacant lot, same owner as 40 Hill Rd across street	3	6	0.26		2			2
063 298000403	-	0	0	LDR	R-1H	Vacant lot, owned by family of 1120 STERLING AVE	3	6	0.27		2			2
063 311005302	-	0	1	LDR	R-1H	Lots of vegetation/ redwoods, but could be developable	3	6	0.27		2			2
063 312002603	-	0	0	LDR	R-1H		3	6	0.27		2			2
062 290100200	-	0	0	LDR	R-1H	Vacant lot	3	6	0.29		2			2
062 291403800	-	0	0	LDR	R-1H	Vacant lot; heavy vegetation	3	6	0.32		2			2
063 311010900	-	0	0	LDR	R-1H		3	6	0.33		2			2
061 257602305	-	0	1	LDR	R-1H	Vacant lot	3	6	0.33		2			2
059 228702000	-	0	1	MDR	R-2	Same owner as 1639 San Pablo	3	20	0.06		1			1
060 240200200	-	0	1	MDR	R-2	Surface parking lot, Reused 5th cycle	3	20	0.11		2			2
059 227700908	-	0	0	MDR	R-2	Vacant lot, Reused 5th Cycle, different property owner from all adjacent parcels	3	20	0.12		2			2

Preliminary Opportunity Sites

APN	Existing FAR	Bldg Age	Vacant	General Plan	Zoning	Comments	Priority	Average Density	Acres	Consol. Lot	Pot'l Units	< 80% AMI	80-120% AMI	> 120% AMI
057 201502403	-	0	1	MDR	R-2	Vacant lot, different owners from adj lots	3	20	0.13		3			3
055 184100500	-	0	0	MDR	R-2	vacant lot	3	20	0.14		3			3
057 201500900	-	0	1	MDR	R-2	Vacant lot	3	20	0.15		3			3
059 226302401	0.92	0	0	MDR	R-2A	Bank parking	1	25	0.40	H	10			10
057 207200600	0.43	73	0	MDR	R-2A	Rodeway Inn and single-story strip retail frontage	1	25	0.78		20			20
057 207302100	-	0	0	MDR	R-2A	Parking lot	2	25	0.12	L	3			3
060 242904400	-	0	0	MDR	R-2A	Immanuel Southern Baptist Church and parking lot	2	25	0.40		10			10
057 206300800	-	0	1	MDR	R-2A	Vacant lot used for parking, different owner from adjacent neighbors	3	25	0.11		3			3
053 160602500	-	0	1	MDR	R-2A	Vacant lot	3	25	0.11		3			3
053 159200900	0.48	121	0	MDR	R-2A	Vacant lot	3	25	0.11		3			3
057 207300101	-	0	0	MDR	R-2A	Parking lot	3	25	0.13		3			3
057 205102900	-	0	1	MDR	R-2A	Surface lot, different owner from adjacent parcels	3	25	0.14		4			4
055 182300500	-	0	1	MDR	R-2A	Vacant lot	3	25	0.16		4			4
057 205401201				MDR	R-2A	Parking Lot behind building	1	25	0.64		16			12
058 221101305	-	0	1	MDR	R-2H	Vacant lot, but different owners from adjacent parcels	3	13.6	0.14		2			2
057 208801500	-	0	0	HDR	R-3	Surface parking lot	1	40	0.25	AY	10			10
057 208901500	-	0	0	HDR	R-3	Public land, surface parking behind Bauman College	2	40	0.15	N	6			6
057 209200900	0.33	61	0	HDR	R-3	Marina Inn, motel with surface parking	2	40	0.40		16			16
057 209200600	-	0	1	HDR	R-3	Owned by 1912 Ninth St (adjacent to south)	3	40	0.08		3			3
057 209601201	-	0	1	HDR	R-3	Vacant parcel	3	40	0.13		5			5
057 209200700	0.24	76	0	HDR	R-3	single-family on large lot	3	40	0.16		6			6
055 183102500	0.29	71	0	HDR	R-3	Low slung medical office bldg	3	40	0.18		7			7
055 185000303	1.09	0	0	HDR	R-3H	Parking lot	3	70	0.26		18			18
056 199601203	0.52	54	0	HDR	R-4	Parking lot (Target)	1	75	1.50		112	112		

Preliminary Opportunity Sites

APN	Existing FAR	Bldg Age	Vacant	General Plan	Zoning	Comments	Priority	Average Density	Acres	Consol. Lot	Pot'l Units	< 80% AMI	80-120% AMI	> 120% AMI
058 218101905	0.12	0	0	HDR	R-4	1899 Oxford surface parking lot - not owned by UC	2	75	0.40		30			30
055 182202200	-	0	1	HDR	R-4	Parking lot	3	75	0.15		11			11
055 181601900	-	0	0	HDR	R-4	Vacant lot	3	75	0.12		9			9
056 196600600	0.13	108	0	HDR	R-4		3	75	0.14		10			10
055 188700800	-	0	1	HDR	R-S	Parking lot	3	200	0.14		28			28
055 188400204	0.18	0	0	HDR	R-S		3	200	0.17		34			34
055 188500102	0.56	0	0	RMU	R-SMU	Parking lot	1	200	0.27	AZ	54			54
055 188500201	0.20	0	0	RMU	R-SMU	Parking lot	1	200	0.30	AZ	60			60
055 187201100	3.95	0	0	RMU	R-SMU	Parking lot	3	200	0.17		33			33
<b>TOTAL</b>											<b>9,032</b>	<b>3,785</b>	<b>2,398</b>	<b>2,845</b>

*Note on Consolidated Lots: Letter(s) are assigned to groups of adjoining parcels that can be consolidated. For example, parcels 1 and 2 may be Group A. Parcels 3-10 may be Group B, etc. Contiguous parcels with same owners would be assigned the same letter.*

**Preliminary Housing Goals and Policies**

<b>Goal A - Housing Affordability</b>	
Berkeley residents should have access to quality housing at a range of housing options and prices. Housing is least affordable for people at the lowest income levels, especially those with extremely low income, and City resources should focus on this area of need.	
<b>Policy</b>	
H-1	<b>Extremely Low, Very Low, Low and Moderate-Income Housing.</b> Increase the number of housing units affordable to current and future Berkeley residents, especially those with lower income levels.
H-2	<b>Funding Sources.</b> Seek, advocate for, and develop additional sources of funds for permanently affordable housing, including housing for people with extremely low incomes and special needs.
H-3	<b>Permanent Affordability.</b> Ensure that below market rate rental housing remains affordable for the longest period that is economically and legally feasible.
H-4	<b>Economic Diversity.</b> Encourage mixed income housing developments through both regulatory requirements and incentives.
H-5	<b>Rent Stabilization.</b> Protect tenants from large rent increases, arbitrary evictions, hardship from relocation, and the loss of their homes.
H-6	<b>Low-Income Homebuyers.</b> Support efforts that provide opportunities for successful home ownership.
H-7	<b>Berkeley Housing Authority.</b> Continue working with the Housing Authority to make quality affordable housing opportunities available to Berkeley residents.

<b>Goal B – Housing Preservation and Improvement</b>	
Existing housing should be maintained and improved. The City promotes energy efficiency and electrification improvements in new and existing residential buildings in order to improve building comfort and safety, reduce energy and water use and costs, provide quality and resilient housing, and reduce greenhouse gas emissions. Improvements that will prepare buildings for a major seismic event should be encouraged.	
<b>Policy</b>	
H-8	<b>Maintain Housing.</b> Maintain and preserve the existing supply of housing in the City.
H-9	<b>Rental Housing Conservation and Condominium Conversion.</b> Encourage the preservation of existing rental housing if and when rental housing undergoes condominium conversion.
H-10	<b>Code Requirements.</b> Enforce code requirements, and provide education, funding and incentives property owners, to ensure that existing housing meets health and safety standards.
H-11	<b>Deterioration, Blight and Deferred Maintenance.</b> Prevent blight and the deterioration of housing units resulting from deferred maintenance.
H-12	<b>Seismic Reinforcement.</b> Maintain housing supply and reduce the loss of life and property caused by earthquakes by incentivizing structural strengthening and hazard mitigation in Berkeley housing.
H-13	<b>Resource Efficiency and Climate Resilience.</b> Implement Berkeley’s Climate Action Plan to improve building comfort and safety, reduce energy and water use and costs, provide quality and resilient housing, and reduce greenhouse gas emissions.

**Goal C – Housing Production**

**Preliminary Housing Goals and Policies**

Berkeley should provide adequate housing capacity to meet its current and future housing needs. New housing should be developed to expand housing opportunities and choices in Berkeley to meet the diverse needs of all socioeconomic segments of the community, and should be safe, healthy and resilient.	
<b>Policy</b>	
H-14	<b>Publicly-Owned Sites.</b> Encourage use of publicly owned or controlled sites for affordable housing and/or mixed-use residential projects with a substantial portion of affordable units.
H-15	<b>Medium- and High-Density Zoning.</b> Maintain sufficient land zoned for medium- and high-density residential development to allow sufficient new construction to meet Berkeley’s fair share of regional housing needs.
H-16	<b>Transit-Oriented New Construction.</b> Encourage construction of new high-density housing on major transit corridors and in proximity to transit stations consistent with zoning, applicable area plans, design review guidelines, and the Climate Action Plan.
H-17	<b>Accessory Dwelling Units.</b> Encourage and facilitate addition of accessory dwelling units on properties with single-family and multi-unit homes.
H-18	<b>Regional Housing Needs.</b> Encourage adequate housing production to meet City needs and the City’s share of regional housing needs.
H-19	<b>Monitoring Housing Element Progress.</b> The City should continue to prepare annual Housing Element progress reports and present results of the review before the City Council, and make necessary and appropriate adjustments to programs and actions to achieve established objectives.
H-20	<b>University of California.</b> Urge the University of California to maximize the supply of appropriately located, affordable housing for its students and also to expand housing opportunities for faculty and staff.
H-21	<b>Inter-Jurisdictional and Regional Coordination.</b> Pursue opportunities to work with other jurisdictions and with ABAG to address issues of mutual interest and priority.

<b>Goal D – Special Needs Housing and Homelessness Prevention</b>	
Berkeley should expand the supply of housing for special needs groups, including housing affordable to those with extremely low incomes.	
<b>Policy</b>	
H-22	<b>Homelessness and Crisis Prevention.</b> Support programs and actions that prevent homelessness and other housing crises by making appropriate services available.
H-23	<b>Homeless Housing.</b> Seek solutions to the problems of individuals and families who are homeless, with the goal of first providing them with permanently affordable housing.
H-24	<b>Family Housing.</b> Support and encourage housing projects that include units affordable and suitable for households with children and large families.
H-25	<b>Housing for Seniors.</b> Support housing programs that increase the ability of senior households to remain in their homes or neighborhoods, and to offer other suitable affordable housing options.
H-26	<b>Housing for People with Disabilities.</b> Encourage provision of an adequate supply of suitable housing to meet the needs of people with disabilities, including developmental, behavioral health (mental health as well as alcohol and other drug dependence), and physical disabilities, as well as other medical conditions (such as HIV/AIDS).
H-27	<b>Emergency Shelters and Transitional and Supportive Housing.</b> Provide emergency shelter and transitional and supportive housing to homeless individuals and families, including people

**Preliminary Housing Goals and Policies**

	with mental, physical, and developmental disabilities, victims of domestic violence, youth, and seniors, as needed. The City’s ultimate priority for new homeless housing opportunities is permanent housing.
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<b>Goal E – Affirmatively Furthering Fair Housing</b>	
The City should continue to take meaningful actions to affirmatively further fair housing choices in Berkeley.	
<b>Policy</b>	
<b>H-28</b>	<b>Fair Housing.</b> Ensure compliance with federal, state, and local Fair Housing and anti-discrimination laws and ordinances and to affirmatively further fair housing for all, ensuring equal access to housing regardless of their special circumstances as protected by fair housing laws.
<b>H-29</b>	<b>Accessible Housing.</b> Promote housing mobility by exceeding the accessibility requirements of the ADA and California Title 24 Disabled Access Regulations, and by encouraging incorporation into new construction and rehabilitation the use of technologies and design features that create universal accessibility.
<b>H-30</b>	<b>Affordable Accessible Housing.</b> Encourage new construction and rehabilitation of accessible housing units that are permanently affordable, in particular to extremely low-income households.

<b>Goal F – Governmental Constraints</b>	
Berkeley should identify and mitigate barriers to the construction and improvement of housing.	
<b>Policy</b>	
<b>H-31</b>	<b>Mitigate Governmental Constraints.</b> Periodically review City fees and regulations to ensure that they do not unduly constrain housing development.
<b>H-32</b>	<b>Streamlined Review Process.</b> Provide for timely and coordinated processing of residential and mixed use development projects in order to minimize project holding costs.
<b>H-33</b>	<b>Incentivize Affordable Housing.</b> Provide incentives where feasible to offset or reduce the costs of affordable housing development, including density bonuses and flexibility in site development standards.

**Preliminary Housing Programs**

**HP-1 AFFORDABLE HOUSING BERKELEY**

The Berkeley Housing Authority (BHA) was recently selected by HUD to be a Move to Work Agency (MTW) that allows for flexibility programmatically; the cohort for which BHA was selected is “Landlord Incentives” and will allow BHA to attract additional landlords to participate with BHA to house voucher holders in Berkeley. Some of the flexibilities include: 120% Payment Standard; one-month contract rent signing bonus for brand new landlords; and funds for accessibility unit modifications. Additional programmatic flexibilities will focus on expansion of the Project-based Section 8 program. BHA is currently working on the process, including future public hearings, to be able to fully implement these flexibilities, and it is expected that will happen by mid-2023.

Furthermore, the BHA Board has established a non-profit entity - Affordable Housing Berkeley, Inc. (AHB) – as the development arm of BHA to produce affordable housing units in Berkeley. BHA’s former low income public housing properties were sold to a developer in 2014, and those units were converted to Project-based Section 8. The proceeds from the sale will be used by AHB Inc. to develop the new units. The BHA board also serves as the Board of AHB and has just hired Mosaic Urban Development to assist with its Strategic Planning Process.

<b>Specific Actions and Timeline</b>	Complete Strategic Plan for Affordable Housing Berkeley Inc. by 2023
<b>Lead Department(s)/Agency</b>	BHA/AHB
<b>Funding Source(s)</b>	BHA Low Income Public Housing Disposition proceeds
<b>AFFH</b>	n/a
<b>Policies Implemented</b>	H-1, H-2, H-3, H-4, H-7, H-14, H-18

**HP-2 HOUSING CHOICE VOUCHERS**

BHA provides a range of rental housing assistance to very low income, and low income households through a number of programs, including Housing Choice Vouchers, Project-Based Section 8 Vouchers, and the Moderate Rehabilitation Program (SROs).

BHA also operates several Special Purpose Voucher programs including:

- Emergency Housing Vouchers (EHV): 51 EHVs awarded by HUD to house homeless households
- Mainstream Voucher Program: 91 vouchers to house non-elderly and disabled homeless or at-risk households
- Veterans Affairs Supportive Housing (VASH): 40 VASH vouchers for homeless veterans.

BHA provides all disabled households the opportunity to apply for Reasonable Accommodations so that they can fully participate in our programs. Some examples of Reasonable Accommodations include an extra bedroom for a 24-hour Live in Aide, or an extra room to store bulky medical equipment.

<b>Specific Actions and Timeline</b>	Continue to assist up to 2,000 households through: <ul style="list-style-type: none"> <li>• Moderate Rehabilitation SRO Program – 98 units</li> <li>• Housing Choice Vouchers – 1,500 households (and growing)</li> <li>• Project-Based Vouchers – 400 households</li> <li>• Emergency Housing Vouchers – 51 households</li> <li>• Mainstream Voucher Program – 91 households</li> <li>• VASH – 40 households</li> </ul>
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Preliminary Housing Programs

Lead Department(s)/Agency	BHA
Funding Source(s)	HUD
AFFH	<p>Housing Mobility; BHA will work to expand all areas of Berkeley with rental housing units.</p> <ul style="list-style-type: none"> <li>• Provide targeted outreach to educate the community on Source of Income protection with the goal of increasing acceptance of HCVs in high resource areas</li> <li>• Increase baseline by 200 households by 2031</li> </ul>
Policies Implemented	H-1, H-2, H-3, H-4, H-7, H-23, H-25, H-26, H-27, H-29, H-30

HP-3 CITYWIDE AFFORDABLE HOUSING REQUIREMENTS

The City is reviewing and revising the Citywide Affordable Housing Requirements to enhance the effectiveness of the program in delivering affordable housing, especially for extremely low-income households. These changes included:

- **Rate of Rent Increases:** Cap the annual rate of rent increases for the Citywide Affordable housing Requirements (AHR) using both Consumer Price Index (CPI) and Area Median Income (AMI). Currently rent increases are based on AMI alone. Recent trends have resulted in sharper increases in AMI due to a greater share of higher-income earners moving to the county rather than from increases in wages, resulting in the existing approach having unintended adverse impacts to tenants. While changes in CPI-U have traditionally been more stable than changes to AMI, this may change as we enter into a more inflationary cycle. The overall goal of this proposed program is to ensure that rent increases do not result in high housing cost burden or displacement of existing tenants.
- **Extremely Low Income Units:** Incentivize the provision of extremely low income (ELI, 30 percent of AMI) units by offering to low income units to voucher holders prior to other income eligible households.
- **In-Lieu Fee Based on Unit Size:** Establish a per-square-foot in-lieu fee, instead of the existing per-unit basis for fees.
- **Alternative Housing Types:** Consolidate requirements, including live/work units and group living accommodations.
- **In-Lieu Options for Compliance:** Add land dedication as a potential alternative to providing on-site units

Specific Actions and Timeline	<p>In 2022, amend Berkeley Municipal Code (BMC) Chapter 23.38, updating the citywide Affordable Housing Requirements (AHR) in the Zoning Ordinance.</p> <p>In 2022, adopt a Resolution addressing regulations for a voucher program and establishing an in-lieu fee pursuant to BMC Section 23.328.020(A)(2).</p>
Lead Department(s)/Agency	Planning



**Preliminary Housing Programs**

<b>Funding Source(s)</b>	General Fund; SB 2 Grant Funding; Enterprise Fund – Community Planning Fee
<b>AFFH</b>	Anti-Displacement and Tenant Protection New Opportunities in High Resource Areas Disproportionate Needs
<b>Policies Implemented</b>	H-2, H-3, H-4, H-6, H-18, H-31, H-33

**HP-4 AFFORDABLE HOUSING OVERLAY**

The City will explore the feasibility and effectiveness of an Affordable Housing Overlay Local Density Bonus to streamline approval of 100 percent affordable development projects and to increase achievable floor area and density through raised height limits, lot coverage, and floor area ratio (FAR) where applicable. As part of the Affordable Housing Overlay project, City staff will conduct targeted outreach in neighborhoods where the overlay would apply, including areas around downtown and the UC Berkeley campus, and along and adjacent to major commercial corridors.

<b>Specific Actions and Timeline</b>	By 2026, adopt Affordable Housing Overlay Density Bonus, concurrent with the residential financial feasibility study, Residential Design Standards, and the General Plan Land Use Element Update
<b>Lead Department(s)/Agency</b>	Planning
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	New Opportunities in High Resource Areas
<b>Policies Implemented</b>	H-2, H-3, H-4, H-6, H-15, H-16, H-18, H-20, H-32, H-33

**HP-5 PRESERVATION OF AT-RISK HOUSING**

The City will monitor and take action to assist in preserving deed-restricted housing. There are over 2,300 deed restricted affordable rental units within the City of Berkeley. Three projects (92 units) are at risk for potential conversion to market-rate units between 2023 and 2033. These are Bonita House (2 affordable units), Lawrence Moore Manor (46 affordable units), and Stuart Pratt Manor (44 affordable units). These projects are subject to annual renewal of its project-based Section 8 certificates with HUD.

<b>Specific Actions and Timeline</b>	<ul style="list-style-type: none"> <li>Continue to implement the City's affordable housing policies and administer the Housing Trust Fund and Small Sites Programs that subsidize both new affordable housing development and rehabilitation of existing projects to preserve and extend their affordability.</li> <li>Annually monitor status of the at-risk project with the goal of preserving the 92 at risk units</li> <li>Ensure tenants are properly noticed by the property owners should a Notice of Intent to opt out of low income use is filed. Notices must be filed three years, one year, and six months in advance of conversion.</li> <li>Pursue acquisition of the affordable units through <b>Error! Reference source not found.</b> should conversion to market rate housing</li> </ul>
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**Preliminary Housing Programs**

<b>Lead Department(s)/Agency</b>	HHCS
<b>Funding Source(s)</b>	Housing Trust Fund
<b>AFFH</b>	Anti-Displacement and Tenant Protection
<b>Policies Implemented</b>	H-1, H-2, H-3, H-4, H-5, H-7

**HP-6 REPLACEMENT HOUSING – DEMOLITION ORDINANCE**

Development on nonvacant sites with existing residential units is subject to replacement requirement, pursuant to AB 1397. Specifically, AB 1397 requires the replacement of units affordable to the same or lower income level as a condition of any development on a nonvacant site consistent with those requirements set forth in State Density Bonus Law.

The City of Berkeley is currently working on a Demolition Ordinance in partnership with the Rent Board that goes beyond the protections afforded by State and Federal legislation. Once adopted, all future development projects will be subject to these regulations.

<b>Specific Actions and Timeline</b>	By December 2022, update the Zoning Code to address the replacement requirements.
<b>Lead Department(s)/Agency</b>	Planning
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	Anti-Displacement and Tenant Protection
<b>Policies Implemented</b>	H-4, H-5, H-8

**HP-7 HOUSING CODE COMPLIANCE AND THE RENTAL HOUSING SAFETY PROGRAM – TENANT-OCCUPIED**

The City’s Housing Code Compliance program focuses on tenant-occupied housing and is both complaint-driven and proactive program. The program responds to requests for service from tenants as well as conducts proactive inspections on a regular cycle. The City is currently working on expanding the proactive inspections program.

<b>Specific Actions and Timeline</b>	<ul style="list-style-type: none"> <li>• Hiring 5 new staff, specifically hiring 2 inspectors and 1 administrative staff person in 2022, and 2 additional inspectors in 2023</li> <li>• Complete the Housing Inspector Manual by 2022</li> <li>• Rewrite and adopt the Berkeley Housing Code by 2023</li> <li>• Long-term goal of the Rental Housing Safety Program is to inspect every building during a 5-year cycle</li> </ul>
<b>Lead Department(s)/Agency</b>	Building and Safety
<b>Funding Source(s)</b>	Program Fees: Annual, Inspection Service and Penalty Fees. Place-Based Strategy for Neighborhood Improvements
<b>AFFH</b>	<Targeted neighborhoods, specific neighborhood outreach and actions/metrics>
<b>Policies Implemented</b>	H-8, H-10, H-11

**Preliminary Housing Programs**

**HP-8 HOUSING CODE COMPLIANCE – OWNER-OCCUPIED**

Currently there are 3 Neighborhood Services Code Enforcement (NSCE) officer staff in the CMO office, who work closely with 1 zoning code enforcement officer in Planning.

The City is in the process of updating its implementation of the Group Living Accommodations (GLAs) ordinance. Specifically, NSCE has created an online registry system for GLAs to register.

Moreover, NSCE leads on complex code enforcement cases that require multi-departmental response. NSCE is currently updating the protocols by which such cases are referred and handled, which will lead to more efficient response times.

<b>Specific Actions and Timeline</b>	<ul style="list-style-type: none"> <li>Expand NSCE by one additional officer by 2023.</li> <li>Create an updated registry of GLAs by 2022.</li> <li>Revamp the process by which certain GLAs can apply to receive a functionally equivalent exemption from certain requirements of the GLA ordinance, as specified in the ordinance itself.</li> </ul>
<b>Lead Department(s)/Agency</b>	City Manager’s Office – Neighborhood Service Code Enforcement (NSCE) Unit
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	Place-Based Strategy for Neighborhood Improvements Neighborhood - Southside. Work with stakeholders and city staff to develop a process, with a targeted timeline to notify impacted GLAs by June 2022 and implement the new application by Sept 2022.
<b>Policies Implemented</b>	H-8, H-10, H-11

**HP-9 LEAD-POISONING PREVENTION**

The City of Berkeley’s Environmental Health Division will incorporate “Proactive Lead-Based Paint Inspections” as part of the Childhood Lead Prevention Program, and will continue documenting these types of inspectional activities in 2022. One of the main purposes of conducting proactive lead-based paint inspections is to satisfy State requirements as part of the CLPP program. These inspections (in coordination with city Housing Code Enforcement staff) also provide a community service by responding to tenant concerns, particularly those with toddlers and young children, about the presence of lead in their residential environment, especially where peeling lead paint has been identified. These inspections also provide documentation on lead levels in soil before and after any remediation. The process from start to finish usually takes approximately 30 days to complete.

<b>Specific Actions and Timeline</b>	<Specific actions that would improve the timeframe/process of inspections>
<b>Lead Department(s)/Agency</b>	HHCS – Environmental Health
<b>Funding Source(s)</b>	California Department of Public Health’s (CDPH) Childhood Lead Poisoning and Prevention Program (CLPP) Annual Grant
<b>AFFH</b>	Place-Based Strategy for Neighborhood Improvements

**Preliminary Housing Programs**

	Environmental Investigations will target neighborhoods which have been identified as having one or more cases of toddlers or young children with elevated blood lead levels, presumably linked to environmental sources
<b>Policies Implemented</b>	H-8, H-10, H-11

**HP-10 HOUSING QUALITY STANDARDS**

BHA implements HUD’s housing inspection protocol, called “Housing Quality Standards” to ensure safe and decent living conditions for Housing Choice Voucher holders. The program withholds rental subsidies to landlords if the property fails inspection twice, as an incentive for landlords to make repairs.

<b>Specific Actions and Timeline</b>	Ongoing
<b>Lead Department(s)/Agency</b>	BHA
<b>Funding Source(s)</b>	HUD
<b>AFFH</b>	Housing Mobility
<b>Policies Implemented</b>	H-7, H-8, H-10, H-11

**HP-11 HOME MODIFICATION FOR ACCESSIBILITY AND SAFETY**

The City partners with Rebuilding Together, Habitat for Humanity, and Center for Independent Living (CIL) to fund home modifications for lower income households. Both organizations bring volunteers and communities together to provide free repair services for low-income homeowners.

<b>Specific Actions and Timeline</b>	Assist home modifications for approximately 13 homes annually or 104 homes over eight years
<b>Lead Department(s)/Agency</b>	HHCS
<b>Funding Source(s)</b>	Rebuilding Together: General Fund Habitat for Humanity: CDBG Center for Independent Living: CDBG
<b>AFFH</b>	Housing Mobility Targeted outreach to areas identified by the California Tax Credit Allocation Committee (TCAC) map as low or moderate resource census tract.
<b>Policies Implemented</b>	H-8, H-10, H-11, H-29, H-30

**Preliminary Housing Programs**

**HP-12 ACCESSIBLE HOUSING**

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The City promotes housing accessibility for persons with disabilities. The City also promotes its reasonable accommodation to property owners. The City also requires community-based organizations to conduct outreach throughout the community targeting the low and moderate income households, including seniors and people with disabilities, served by these programs.

BHA has a robust Reasonable Accommodation program for all of our program participants who are disabled – each time we conduct a new voucher holder intake, and in our annual recertification packets, our clients receive the Notice of Right to Request a Reasonable Accommodation, and a Form to Request a Reasonable Accommodation. All disabled households have the right to request a Reasonable Accommodation at any time, and BHA staff are trained to respond properly, adhering to Fair Housing Law.

All Project-based Voucher long term contracts have a requirement to adhere to current Section 504/ADA designs in the number of units.

	By 2026, encourage residential units to be developed with universal design and visitability principles in future PBV Master Contracts or exemptions for requiring a modified unit to be returned to its original state upon vacating the unit.
<b>Specific Actions and Timeline</b>	As part of BHA’s MTW application addressed in HP-1 Affordable Housing Berkeley, the fiscal flexibilities include the ability to spend up to \$500 per unit to help landlords pay for unit modifications. This benefit cannot be combined with the CIL program addressed in HP-11 Home Modification for Accessibility and Safety.
<b>Lead Department(s)/Agency</b>	BHA, Planning
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	Housing Mobility
	Tenant Protection and Anti-Displacement
<b>Policies Implemented</b>	H-25, H-26, H-28, H-29

**HP-13 SENIOR AND DISABLED HOME IMPROVEMENT LOAN PROGRAM**

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The purpose of the Senior and Disabled Home Rehabilitation Loan Program is to assist low income senior and disabled homeowners in repairing/modifying their homes, to eliminate conditions that pose a threat to their health and safety and to help preserve the City's housing inventory. Qualified borrowers can receive interest-free loans of up to \$100,000.

The building to be rehabilitated has to be located within the City of Berkeley boundaries. The property will contain no more than two units. Only the unit occupied by the senior or disabled homeowner is eligible to receive assistance.

<b>Specific Actions and Timeline</b>	Provide two interest-free loans up to \$100,000 annually for a total of 16 loans over eight years.
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**Preliminary Housing Programs**

Lead Department(s)/Agency	HHCS
Funding Source(s)	CalHome Reuse Account (program income) and CDBG
AFFH	Housing Mobility
Policies Implemented	H-25, H-26, H-28, H-29

**HP-14 SEISMIC SAFETY AND PREPAREDNESS PROGRAMS**

The City implements, and supports, a number of programs to address seismic preparedness:

- **Soft Story Program:** Continue program management for buildings newly added to the soft story inventory, as well as code enforcement for non-compliant soft story buildings subject to Berkeley Municipal Code Section 19.39. [Soft Story Ordinance (Ord. No. 7,318-N.S.) adopted December 3, 2013.]
- **Unreinforced Masonry (URM) Ordinance:** Continue code enforcement for non-compliant URM buildings subject to Berkeley Municipal Code Section 19.38. (Ord. 6604-NS § 2, 2000) as of November 15, 1991.
- **Retrofit Grants Program:** In early 2017, the City launched its first Retrofit Grants Program to incentivize individual property owners to retrofit their seismically vulnerable buildings. This groundbreaking program leveraged both federal and state hazard mitigation grant funding from FEMA and the California Governor’s Office of Emergency Services (CalOES) to reimburse property owners for a portion of their design and construction costs. In May 2020, the City received approval for additional hazard mitigation grant funding, enabling the City to launch a second round of the Retrofit Grants Program. The City will continue to seek additional hazard mitigation grant funding throughout 2023-2031, in an effort to provide further financial assistance to building owners, and encourage retrofit of additional Berkeley buildings.
- **Seismic Retrofit Transfer Tax Rebate Program:** This Program provides refunds of Berkeley transfer taxes for seismic upgrades to residential properties that are completed within one year of property transfer. Up to 1/3 of the base 1.5% transfer tax rate may be refunded on a dollar-for-dollar basis, for all expenses incurred on or after October 17, 1989, for seismic upgrades to residential property. This program applies to structures that are used exclusively for residential purposes, or any mixed-use structure that contains two or more dwelling units. Between 2013 and 2019, 702 rebates have been distributed, amounting to over \$4M.
- **Earthquake Brace and Bolt:** Earthquake Brace and Bolt, a program of the California Residential Mitigation Program, provides rebates of up to \$3,000 for homes that make qualifying seismic safety upgrades. For the first time, in 2022, this program will also provide grants for up to 100% of the costs for low-income homeowners. Berkeley is proactively making residents aware of and is utilizing the Brace and Bolt program, through news releases, distribution of flyers in the Permit Service Center, and workshops during annual registration to answer questions and encourage participation. The City actively promotes and tracks participation in the Earthquake Brace and Bolt rebate program.

**Specific Actions and Timeline**

- **Soft Story Program:** As of March 1, 2022, out of 360 soft-story buildings, 265 buildings (containing approximately 2,995 units) have complied with the soft story program requirements, and 35 soft story buildings (containing ~306 dwelling units) must still come into

Preliminary Housing Programs

compliance with mandatory retrofit requirements. Of the remaining 35 buildings, 8 owners have obtained building permits, 13 have applied for permits and 14 have yet to apply. Facilitate the compliance of the remaining 14 buildings by 2025. Identify additional buildings may be added to the inventory for improvements.

- **Unreinforced Masonry Ordinance:** Of the approximately 600 buildings originally included in the City’s unreinforced masonry (URM) inventory, roughly 99 percent have been seismically retrofitted, demolished or demonstrated to have adequate reinforcement. As of March 1, 2022, four buildings remain on the city’s URM list and are required to retrofit in order to avoid further penalties. Two of the four building owners have applied for retrofit permits, and two have expired permit applications. Facilitate the retrofitting of the remaining four building by 2025.
- **Provide Retrofit Grants** to 50 property owners by 2023.
- **Seismic Retrofit Transfer Tax Rebate Program:** Continue to issue building permit seismic upgrades and facilitate transfer tax rebates for qualifying properties.
- The City will continue to promote the **Earthquake Brace and Bolt program**, with the goal of helping at least 50 homeowners complete seismic retrofits and obtain rebates annually.

<b>Lead Department(s)/Agency</b>	Building and Safety
<b>Funding Source(s)</b>	Transfer Tax Rebate Program Retrofit Grants Program California Residential Mitigation Program
<b>AFFH</b>	Place-Based Strategy for Neighborhood Improvements Anti-Displacement and Tenant Protection <Targeted neighborhoods, specific neighborhood outreach and actions/metrics>
<b>Policies Implemented</b>	H-8, H-10, H-11, H-12

**HP-15 BERKELEY PILOT CLIMATE EQUITY FUND**

The Resilient Home Retrofit portion of the Berkeley Pilot Climate Equity Fund Program seeks to support building decarbonization that enhances resilience, supports occupants and reduces GHG emissions.

Many lower and moderate income (LMI) homes are in need of health, safety, efficiency, and electrification upgrades. While there are some resources to support these repairs for income qualified homes, it is difficult for low income residents to access multiple programs that have different application processes and eligibility requirements. The Resilient Home Retrofit aspect of the new Berkeley Pilot Climate Equity Fund Program seeks to demonstrate how retrofit funding available to income-qualified households can be combined with other programs to leverage greater benefits, and achieve meaningful home improvements for LMI residents.

**Preliminary Housing Programs**

This initial funding (\$250,000) for this program will be used to retrofit approximately 15 LMI units (multi-family and single-family), and the hope is to get additional funding after this initial pilot funding is exhausted.

<b>Specific Actions and Timeline</b>	<ul style="list-style-type: none"> <li>• Select contractor to establish and implement program in 2022</li> <li>• Program implementation between 2022-2024, with the goal of retrofitting 15 low and moderate income homes.</li> <li>• Depending on program effectiveness, pursue additional funding to continue program.</li> </ul>
<b>Lead Department(s)/Agency</b>	OSED
<b>Funding Source(s)</b>	City Council authorized \$600,000 from the General Fund in FY22 for the Berkeley Pilot Climate Equity Fund Program (2022-2024); \$250,000 of this fund will support resilient retrofits for LMI homes. Hopeful that additional funding will become available.
<b>AFFH</b>	Place-Based Strategy for Neighborhood Improvements Disproportionate Housing Needs Homes for this Program may be anywhere in Berkeley, but are most likely to be in formerly red-lined areas in south and west Berkeley. Goal with existing funding is to retrofit 15 low and moderate income homes between 2022-2024.
<b>Policies Implemented</b>	H-8, H-10, H-13

**HP-16 BERKELEY EXISTING BUILDINGS ELECTRIFICATION (BEBE) STRATEGY**

The BEBE Strategy identified home repair and maintenance needs that accompany building electrification as a major challenge to decarbonizing existing residential buildings in Berkeley. The strategy seeks to transition existing buildings in Berkeley from natural gas appliances to all-electric alternatives in a way that benefits all residents, especially members of historically marginalized communities. The strategy focuses on how to equitably electrify all of Berkeley's low-rise residential buildings.

<b>Specific Actions and Timeline</b>	<ul style="list-style-type: none"> <li>• By 2023, complete Energy Equity for Renters Technical Assistance program with ACEEE and receive its research results. This is one implementation of BEBES that is tied to housing preservation.</li> <li>• Within two years of receiving research results, develop programs and policies that promote energy efficiency while protecting tenants from displacement.</li> <li>• By 2025, explore funding opportunities for equity programs, including integration of electrification measures into housing protection and preservation programs, such as the City's Senior and Disabled Home Loan Program or Section 8 housing voucher program.</li> </ul>
<b>Lead Department(s)/Agency</b>	OESD
<b>Funding Source(s)</b>	General Fund ACEEE-funded program, with foundation support
<b>AFFH</b>	Place-Based Strategy for Neighborhood Improvements Disproportionate Housing Needs



**Preliminary Housing Programs**

	Anti-Displacement and Tenant Protection Neighborhoods most targeted would be those with the largest proportion of renters in older buildings: Southside, central Berkeley, and west and south Berkeley. Goal with existing funding is to retrofit 15 low and moderate income homes between 2022-2024
<b>Policies Implemented</b>	H-8, H-10, H-13

**HP-17 BUILDING EMISSIONS SAVING ORDINANCE (BESO)**

Berkeley’s Building Emissions Saving Ordinance (BESO) requires building owners and homeowners, at the time of listing a property for sale, to complete and publicly report comprehensive energy assessments with tailored recommendations on how to save energy, eliminate fossil fuels and link building owners to incentive programs for energy efficiency and electrification upgrades.

<b>Specific Actions and Timeline</b>	On average, around 400 buildings complete BESO assessments each year. Requirements for building upgrades are anticipated in the next ordinance amendment in 2023-2025.
<b>Lead Department(s)/Agency</b>	OESD
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	Place-Based Strategy for Neighborhood Improvements Disproportionate Housing Needs BESO applies to homes anywhere in the City of Berkeley; distribution of eligible homes is dependent on the geography of home listings.
<b>Policies Implemented</b>	H-8, H-10, H-13

**HP-18 BAYREN SINGLE-FAMILY HOMES AND MULTI-FAMILY HOMES PROGRAMS**

The City of Berkeley actively promotes participation in this technical assistance, rebate, and financing program for renovation projects improving health, comfort, utility costs, and resilience. Higher energy burdens have real implications on the health and wellbeing, and housing stability for families and individuals. These programs include energy efficiency measures that reduce energy burden on low and moderate income residents. BayREN provides technical assistance, rebates, financing for energy efficiency and electrification projects that are recommended by BESO assessments and currently promoted by Berkeley for voluntary upgrades. Berkeley tracks BayREN rebate receivers as a performance metric. The City has program influence and has been successful in recruiting participants for the program, particularly through BESO.

<b>Specific Actions and Timeline</b>	Continue to assist in recruiting participants to BayREN’s rebate programs through BESO and other outreach, with the goal of assisting at least 75 single-family homes and 125 multi-family dwelling units annually in receiving BayREN incentives for qualifying renovations (or 600 single-family homes and 1,000 multi-family dwelling units over eight years).
<b>Lead Department(s)/Agency</b>	OESD
<b>Funding Source(s)</b>	BayREN is funded by utility ratepayer funds through the California Public Utilities Commission, as well as other sources.

**Preliminary Housing Programs**

<b>AFFH</b>	<ul style="list-style-type: none"> <li>• Place-Based Strategy for Neighborhood Improvements</li> <li>• Disproportionate Housing Needs</li> <li>• Targets neighborhoods with the greatest proportion of homes in need of energy efficiency, health, and safety retrofits; most likely to be in areas with older, less maintained homes, such as Southside, central, west, and south Berkeley. Goal is to get 75% of total BayREN projects in these neighborhoods (so 450 single-family homes and 750 multi-family dwelling units over eight years)</li> </ul>
<b>Policies Implemented</b>	H-8, H-10, H-13

**HP-19 PRIORITY DEVELOPMENT AREAS (PDAS)**

The City will be developing a San Pablo Avenue Corridor PDA Specific Plan, which will study potential zoning and General Plan amendments to increase allowed densities and development capacity and mechanisms to incentivize affordable housing. The specific plan process is anticipated to begin in summer 2022.

The City will also be pursuing zoning map and height amendments in the Southside Plan Area, which comprises a portion of the Telegraph PDA. These proposed zoning modifications are intended to increase housing capacity and production in the Southside through changes in a targeted number of zoning parameters: building heights, building footprints (including setbacks and lot coverage), parking, ground-floor residential use, and adjustments to the existing zoning district boundaries.

<b>Specific Actions and Timeline</b>	<p>During 2022-2024, develop San Pablo PDA Specific Plan. Conduct analysis, public and stakeholder engagement, and policy options, including zoning and General Plan amendments, with the goal of adopting Specific Plan summer 2025.</p> <p>By June 2023, complete Telegraph PDA/Southside Plan Area zoning map amendments and up-zoning.</p>
<b>Lead Department(s)/Agency</b>	Planning
<b>Funding Source(s)</b>	General Fund, ABAG/MTC PDA Planning Grant
<b>AFFH</b>	New Opportunities in High Resource Areas
<b>Policies Implemented</b>	H-15, H-16, H-18, H-20, H-21, H-31, H-33

**HP-20 BART STATION AREA PLANNING**

The City and the San Francisco Bay Area Rapid Transit District (BART) are collaborating to advance equitable transit-oriented development (TOD) at the Ashby and North Berkeley BART station areas. The development of the Ashby and the North Berkeley BART station sites is a multi-year, multi-phase process, including ongoing community engagement. The preliminary planning stage has focused on milestones outlined in the March 2020 MOU to prepare to issue Requests for Qualifications (RFQs) for potential developer teams for the two sites, anticipated in summer 2022. These milestones include: a provisional reservation by the City Council to reserve \$53 million of City affordable housing funding for the two sites (April 2021), adoption of zoning consistent with AB 2923 and a City-BART Joint Vision and Priorities document based on City and BART

**Preliminary Housing Programs**

adopted policies and plans and a community process that included a Council-appointed Community Advisory Group.

<b>Specific Actions and Timeline</b>	By Summer 2022, adopt zoning and associated General Plan amendments consistent with AB 2923; adopt City – BART Joint Vision and Priorities for Transit-Oriented Development at the Ashby and North Berkeley BART Station Areas and certify EIR on these documents.
<b>Lead Department(s)/Agency</b>	Planning
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	Place-Based Strategy for Neighborhood Improvements BART’s TOD Performance Targets prioritize below market rate units for low and very low income households and transit dependent populations. Complete streets and active transportation improvements are underway at North Berkeley BART.
<b>Policies Implemented</b>	H-14, H-15, H-16, H-18, H-21, H-33

**HP-21 MIDDLE HOUSING – INFILL HOUSING IN HIGH RESOURCE AREAS**

The City shall review and amend the Zoning Code and applicable objective development standards to encourage and promote a mix of dwelling types and sizes, specifically to allow for two- to four-unit development on one lot, to encourage housing for middle- and moderate-income households and increase the availability of affordable housing in a range of sizes to reduce displacement risk for residents living in overcrowded units or experiencing high housing cost burden.

To facilitate middle housing while balancing the need for affordable units, the City will also introduce a reduced inclusionary housing fee for middle housing projects with less than 12,000 gross square feet (GSF), with a sliding scale increase for projects with floor areas between 0 and 12,000 GSF.

<b>Specific Actions and Timeline</b>	By Summer 2022, amend Affordable Housing Fee schedule. By Summer 2023, amend Zoning code to allow two- to four-unit development on one lot.
<b>Lead Department(s)/Agency</b>	Planning
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	New Opportunities in High Resource Areas Anti-Displacement and Tenant Protection Targeted outreach in lower density Residential districts: R-1, R-1A, R-2, R-2A, and MU-R
<b>Policies Implemented</b>	H-2, H-3, H-4, H-18, H-24, H-31, H-32, H-33

**HP-22 ACCESSORY DWELLING UNITS**

The City will continue to implement Chapter 23.306 of the Berkeley Municipal Code (Zoning) to allow accessory dwelling units by right Citywide. On January 8, 2022, the City adopted maximum ADU building heights of 20 feet in areas outside of the Very High Fire Severity Zones, which is more permissive than the

**Preliminary Housing Programs**

State law requirement of 16 feet. The City will monitor the latest hazard and risk science and assessments for natural and manmade hazards in Berkeley. The City may modify ADU development standards based on changing understanding of conditions of risks and hazards.

The City will facilitate ADU production by:

- Prioritizing accessory dwelling unit permit applications;
- Promote ADU standards by including information on the City’s website and making fact sheets available at the City’s permit counter; and
- Providing one dedicated ADU planner to respond to questions and offering office hours and other educational programs for those interested in creating ADUs.

<b>Specific Actions and Timeline</b>	<ul style="list-style-type: none"> <li>• Permit on average 100 ADUs or JADUs per year (800 ADUs or JADUs over eight years)</li> <li>• Provide contact info for ADU planner on ADU webpage</li> <li>• Update ADU webpage on a quarterly basis to ensure information addresses questions raised by applicants</li> <li>• Provide annual update on ADU permit progress to Planning Commission and City Council</li> <li>• Coordinate ADU policies with the Community Wildfire Protection Plan (CWPP) and Fire Department Standards of Coverage assessment.</li> </ul>
<b>Lead Department(s)/Agency</b>	Planning
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	New Opportunities in High Resource Areas <Targeted neighborhoods, specific neighborhood outreach and actions/metrics>
<b>Policies Implemented</b>	H-8, H-17, H-18, H-19, H-32

**HP-23 ADEQUATE SITES FOR RHNA AND MONITORING OF NO NET LOSS**

The City of Berkeley has been allocated of 8,934 units (2,446 very low income, 1,408 low income, 1,416 moderate income, and 3,664 above moderate income units). Based on projected ADUs and entitled projects, the City has met 5,128 of its RHNA, with a remaining RHNA of 3,606 units (1,760 very low income; 716 low income; 1,101 moderate income; and 9 above moderate income units). Based on existing uses, zoning and development standards, the City has identified an inventory of sites with potential for redevelopment over the eight year planning period to accommodate 9,028 units (1,649 very low income, 1,649 low income, 2,886 moderate income, and 2,824 above moderate income units), adequate to address the remaining RHNA of 3,606 units.

To ensure that the City comply with SB 166 (No Net Loss), the City will monitor the consumption of residential and mixed use acreage to ensure an adequate inventory is available to meet the City’s RHNA obligations. To ensure sufficient residential capacity is maintained to accommodate the RHNA, the City will

**Preliminary Housing Programs**

develop and implement a formal ongoing (project-by-project) evaluation procedure pursuant to Government Code Section 65863. Should an approval of development result in a reduction of capacity below the residential capacity needed to accommodate the remaining need for lower income households, the City will identify and if necessary, rezone sufficient sites to accommodate the shortfall and ensure “no net loss” in capacity to accommodate the RHNA.

	Maintain an inventory of the available sites for residential development and provide it to prospective residential developers.
<b>Specific Actions and Timeline</b>	By Summer 2024, implement a formal evaluation procedure pursuant to Government Code Section 65863 to monitor the development of vacant and nonvacant sites in the sites inventory and ensure that adequate sites are available to meet the remaining RHNA by income category.
<b>Lead Department(s)/Agency</b>	Planning
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	New Opportunities in High Resource Areas
<b>Policies Implemented</b>	H-8, H-18, H-19

**HP-24 1000 PERSON PLAN TO END HOMELESSNESS**

The City of Berkeley is committed to addressing homelessness and HHCS is working on a large variety of new and potential homeless programs, including:

- Acquisition of the Golden Bear Inn for Project HomeKey;
- Leasing with the Rodeway Inn to provide sheltering for people currently living at People’s Park; and
- A drop-in center for the unhoused in People’s Park and Telegraph Ave district jointly funded by UC Berkeley

The City is also working to implement a new rental assistance program (“Shallow Subsidies”) for people who are unhoused but do not need supportive services, and the City is administering a County contract to place unhoused people in motels to provide respite from the streets.

Preliminary discussions are underway to assist Berkeley Food and Housing Project in acquiring Russell Street Residence.

Finally, the City is also assisting Larkin Street to purchase the property at 3404 King Street, currently owned by Fred Finch and operated as transitional housing for homeless youth, for the same purpose.

<b>Specific Actions and Timeline</b>	<ul style="list-style-type: none"> <li>• Establish programs and services by the end of 2025 with the goal of assisting:</li> <li>• Increase capacity for housing the homeless by 43 beds/persons at Golden Bear Inn</li> <li>• Increase capacity for housing the homeless by 43 beds/persons at the Rodeway</li> </ul>
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**Preliminary Housing Programs**

	<ul style="list-style-type: none"> <li>• Serve an average of 15-25 unhoused persons the drop-in center daily</li> <li>• Maintain transitional housing for 12 transition aged youth at 3404 King Street</li> </ul>
<b>Lead Department(s)/Agency</b>	HHCS and CMO
<b>Funding Source(s)</b>	Local (Measure P, general fund); State HomeKey; State Encampment Resolution Fund grant; City of Berkeley - University of California Settlement Payment funds
<b>AFFH</b>	Tenant Protection and Anti-Displacement Place Based Strategies for Neighborhood Improvement New Opportunities in High Resource Areas Housing Mobility
<b>Policies Implemented</b>	H-1, H-3, H-4, H-18, H-22, H-23, H-27

**HP-25 SHELTER PLUS CARE – VOUCHER PROGRAM AND SUPPORTIVE SERVICES**

The City continues to administer 300 Shelter Plus Care vouchers for the homeless, along with supportive services.

<b>Specific Actions and Timeline</b>	Enroll 10 new clients annually as vouchers become available due to existing clients exiting the program
<b>Lead Department(s)/Agency</b>	HHCS
<b>Funding Source(s)</b>	Federal S+C Funding
<b>AFFH</b>	Housing Mobility Tenant Protection and Anti-Displacement
<b>Policies Implemented</b>	H-1, H-4, H-22, H-23, H-27

**HP-26 COMMUNITY AGENCY CONTRACTING**

The City utilizes CDBG and local Measure P funding to contract with Community Based Organizations (CBOs) to provide supportive services. These services help stabilize households in rental assistance programs and to move unhoused community members into permanent supportive housing.

<b>Specific Actions and Timeline</b>	Provide rental assistance to 50-75 new households annually (or 400-600 new households over eight years)
<b>Lead Department(s)/Agency</b>	HHCS
<b>Funding Source(s)</b>	CDBG; local Measure P
<b>AFFH</b>	Tenant Protection and Anti-Displacement
<b>Policies Implemented</b>	H-1, H-2, H-3, H-23

**HP-27 HOUSING FOR HOMELESS PERSONS WITH DISABILITIES**

The City plans to provide local subsidy to Resources for Community Development (RCD) for a 119-unit very low income development for households earning between 10 and 50 percent AMI (Supportive Housing in

**Preliminary Housing Programs**

People’s Park) with at least 50 percent of the units dedicated to previously unhoused residents with mental health conditions. This project has been allocated 27 Project-based Vouchers by BHA.

<b>Specific Actions and Timeline</b>	Assist in the development of a 119-unit very low-income housing project; begin construction in 2023/2024.
<b>Lead Department(s)/Agency</b>	HHCS Mental Health
<b>Funding Source(s)</b>	MSHA funding and others to be determined
<b>AFFH</b>	Tenant Protection and Anti-Displacement
<b>Policies Implemented</b>	H-1, H-3, H-4, H-20, H-22, H-23, H-26, H-28, H-29, H-30

**HP-28 FAIR HOUSING OUTREACH AND ENFORCEMENT**

The City contracts with ECHO Housing for Fair Housing services and ensure the public has access to information through the City's website, and other modes of communication, including newsletters and through local Community-Based Organization (CBO) partners. The City also partners with East Bay Community Law Center (EBCLC) to provide no cost legal advocacy help to low income tenants.

The City’s approach is to be collaborative with landlords through the Berkeley Property Owners Association (BPOA) to provide trainings to rental property owners.

<b>Specific Actions and Timeline</b>	<ul style="list-style-type: none"> <li>• Continue to provide fair housing services to residents, landlords, and housing professionals. Specifically increase outreach and education to Homeowners Associations.</li> <li>• Conduct 9 education/training workshops annually for tenant-focused CBOs and property owner associations.</li> <li>• Provide annual 70 training sessions on fair housing rights and requirements to rental property owners.</li> <li>• Conduct 22 outreach events to inform Berkeley residents of their rights.</li> <li>• Conduct 10 tenant/landlord mediation sessions to resolve disputes and/or legal problems.</li> <li>• Conduct an Equity Study to target program marketing</li> </ul>
<b>Lead Department(s)/Agency</b>	HHCS
<b>Funding Source(s)</b>	CDBG
<b>AFFH</b>	Fair Housing Outreach and Enforcement: ECHO is tasked with reaching specific target demographics including people with disabilities, female heads of households, homeless households, and chronically homeless households. Echo records income and demographic data for each client served to ensure the City is consistent with AFFH goals. ECHO’s counselor will respond to all inquiries and complaints from City of Berkeley regarding illegal housing discrimination based on race, sex, sexual orientation, gender identity, national origin, marital status, familial status, physical and mental disability, religion, source of income, and all other arbitrary forms (immigration status, LEP,

**Preliminary Housing Programs**

personal characteristics) of discrimination as defined in state and federal fair housing law. ECHO will deliver services to any Berkeley renter who feels they have experienced illegal housing discrimination or any housing provider requiring education or training with regard to federal, state, and local fair housing laws and ordinances.

As a Qualified Fair Housing Enforcement Organization (QFHO), ECHO continues to coordinate and collaborate with cooperating attorneys, the Department of Housing and Urban Development, and the Department of Fair Employment and Housing on cases we have investigated and referred for litigation.

<b>Policies Implemented</b>	H-5, H-28
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**HP-29 RENT STABILIZATION AND TENANT PROTECTION**

The Rent Stabilization Board (RSB) works closely with other City departments to ensure that tenants are protected from retaliation when they complain about code violations and to assist landlords in following the requirements of the law when they need to temporarily relocate tenants in order to make repairs. The Board also assists with the enforcement of the Fair Housing Ordinance (BMC Section 13.30.050) by providing funding for the East Bay Community Law Center and the Eviction Defense Center, which provide legal services to the low-income community.

In March 2022, the Board proposed three amendments to the Rent Ordinance for Council to place on the November ballot. These amendments are designed to ensure that the Rent Ordinance better serve its purpose; namely the prevention of arbitrary, discriminatory or retaliatory evictions in order to maintain the diversity of the Berkeley community and to ensure compliance with legal obligations relating to the rental of housing.

The proposed amendments include an amendment to allow for rent control protections to attach to new units that were built as a result of demolition under Senate Bill 330; an amendment to expand eviction protections for tenant households that exceed the number of occupants allowed at the inception of the tenancy; and an elimination of City Council’s ability to exempt rent control from units when the vacancy rate reaches a certain level.

<b>Specific Actions and Timeline</b>	Proposed amendments to the Rent Stabilization and Eviction for Good Cause Ordinance for November 2022 ballot.
<b>Lead Department(s)/Agency</b>	RSB
<b>Funding Source(s)</b>	Fees
<b>AFFH</b>	Anti-Displacement and Tenant Protection
<b>Policies Implemented</b>	H-4, H-5, H-9, H-11, H-26

**HP-30 TENANT SURVEY**

The City has issued an RFP to conduct a Tenant Survey to gather a representative sample of tenants’ experiences in Berkeley today. The data collected will be used to ensure the City’s elected Rent Stabilization



**Preliminary Housing Programs**

Board adopts legislation that promotes policies and services stated in the Berkeley Rent Ordinance. Based on data from Tenant Survey, the Board will make changes to the Rent Stabilization Ordinance.

<b>Specific Actions and Timeline</b>	Conduct Tenant Survey in Spring 2022 with summary of data to the Board by end of calendar year.
<b>Lead Department(s)/Agency</b>	RSB
<b>Funding Source(s)</b>	Fees
<b>AFFH</b>	Anti-Displacement and Tenant Protection
<b>Policies Implemented</b>	H-5, H-8

**HP-31 HOUSING PREFERENCE POLICIES**

Currently, the BHA Housing Choice Voucher waitlist provides preference points for households or families that—at the time of selection from the waiting list—reside in the City of Berkeley, or formerly resided in Berkeley, or include a member who works or has been hired to work in the jurisdiction. Use of this preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family.

The City is developing a housing preference policy to assist residents at-risk of displacement and those who have already been displaced to receive priority for new, local affordable housing units. The City intends for this policy to apply to units created via its HTF and BMR programs to the extent permissible by Fair Housing law.

<b>Specific Actions and Timeline</b>	By 2023, the City will adopt a housing preference policy. The City plans to conduct outreach on an ongoing basis, coordinate preferences with the Alameda County Housing Portal for applications, and collect data and monitor annually to assess impact.
<b>Lead Department(s)/Agency</b>	BHA and HHCS
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	Anti-Displacement and Tenant Protection
<b>Policies Implemented</b>	H-1, H-7, H-28

**HP-32 TENANT OPPORTUNITY TO PURCHASE ACT**

TOPA is a policy that empowers tenants to determine the future of their housing when a rental property owner is ready to sell, by giving tenants the opportunity to collectively purchase the property they live in. It does this by creating legal rights for tenants to purchase or assign rights to an affordable housing developer, and providing technical assistance, education, and financing to help make these purchases possible. TOPA provides a way to stabilize existing housing for tenants and preserve affordable housing in Berkeley. It also creates pathways for tenants to become first-time homeowners and facilitates democratic residential ownership. TOPA will apply to all rental properties in Berkeley, subject to a number of exemptions:

- Any rental property comprised entirely of owner-occupied Rental Units, including any owner-occupied single-family dwelling
- Any Accessory Dwelling Unit (inclusive of any junior Accessory Dwelling Unit) located on the same

**Preliminary Housing Programs**

parcel of an owner-occupied single-family dwelling or owner-occupied ADU

- Transfers to family members
- Transfers by inheritance

Owners of rental properties that are exempt can receive the benefit of TOPA incentives if they comply voluntarily with TOPA policies and procedures.

<b>Specific Actions and Timeline</b>	Adopt a TOPA Ordinance by <date>
<b>Lead Department(s)/Agency</b>	Office of the Mayor
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	Anti-Displacement and Tenant Protection
<b>Policies Implemented</b>	H-3, H-4, H-6, H-8, H-28

**HP-33 STREAMLINED PERMIT PROCESSES AND TIMELINES**

Delays in processing development applications can increase the costs of development. The City plans to update its Planning and Building technology systems, including digital permitting software and inspections software, to move all applications and processes online and reduce time and cost for both the applicant and the City.

<b>Specific Actions and Timeline</b>	Conduct needs assessment, develop RFP for the Planning and Building technology systems, and hire consultant by December 2024. Complete scope of work within 24 months of executed contract.
<b>Lead Department(s)/Agency</b>	Planning
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	Not applicable
<b>Policies Implemented</b>	H-19, H-31, H-32

**HP-34 BY-RIGHT APPROVAL ON REUSED SITES FOR AFFORDABLE HOUSING**

Pursuant to AB 1397 passed in 2017, the City will amend the Zoning Code to provide by-right approval of housing development in which the project includes 20 percent of the units as housing affordable to lower income households, on sites being used to meet the Sixth Cycle Housing Element RHNA that represent “reused sites” from previous Housing Element cycles. The “reused” sites are specifically identified in the inventory and will be identified and monitored in a publicly accessible map.

<b>Specific Actions and Timeline</b>	<ul style="list-style-type: none"> <li>• By January 2024, amend the Zoning Code to provide by-right approval of projects with 20 percent lower income units on sites that are reused from the previous Housing Element cycles.</li> <li>• By January 2024, create an additional GIS layer in the public facing Community Map portal to identify all Sites Inventory sites, with a color to identify the 18 reused sites that must be approved by-right for 20 percent lower income units. As projects are entitled,</li> </ul>
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**Preliminary Housing Programs**

	permitted, and constructed, the GIS layer must be updated, by unit count and affordability categories.
<b>Lead Department(s)/Agency</b>	Planning
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	New Opportunities in High Resource Areas
<b>Policies Implemented</b>	H-1, H-3, H-4, H-6, H-18, H-19, H-31, H-32, H-33

**HP-35 ZONING CODE AMENDMENTS FOR SPECIAL NEEDS HOUSING**

The City will update the Zoning Code to align with required State laws:

- AB 101 – Low Barrier Navigation Center must be permitted by-right where multi-family residential land use is permitted
- AB 2162 – Supportive housing must be permitted by-right where multi-family and mixed-use residential development is permitted, if:
  - At least 25% of the units in a development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population; or
  - If the development consists of fewer than 12 units, then 100 percent of the units re restricted to residents in supportive housing who meet criteria of the target population
- Health and Safety Code Section 17021.5 – Any employee housing providing accommodations for six or fewer employees is deemed a single-family structure with a residential land use designation. For the purpose of all local ordinances, employee housing cannot be included within the definition of a boarding house, rooming house, hotel, dormitory, or other similar term that implies that the employee housing is a business run for profit or differs in any other way from a family dwelling.

<b>Specific Actions and Timeline</b>	By 2024, review and adopt new zoning provisions to align land use standards with State law requirements for special needs housing.
<b>Lead Department(s)/Agency</b>	Planning
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	Housing Mobility
<b>Policies Implemented</b>	H-1, H-26, H-27, H-31, H-32

**HP-36 ZONING CODE AMENDMENT TO FACILITATE HOUSING DEVELOPMENT**

Currently, the Berkeley Zoning Code does not contain a minimum or maximum density standard expressed in “units per acre” for the majority of its residential and mixed-use zoning districts. While the zones have no density caps, a minimum density threshold can ensure adequate baseline capacity to meet RHNA targets and achieve Housing Element compliance.

<b>Specific Actions and Timeline</b>	By January 2024, as part of the Multi-Unit Residential Objective Standards project, minimum densities will be applied to all residential and mixed-use developments with five or more units.
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**Preliminary Housing Programs**

	By 2026, develop Objective Design Standards for residential and mixed use developments.
<b>Lead Department(s)/Agency</b>	Planning
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	Place-Based Strategy for Neighborhood Improvements New Opportunities in High Resource Areas
<b>Policies Implemented</b>	H-18, H-31, H-32

**HP-37 PERMIT PROCESSING PROCEDURES**

To provide additional transparency regarding project permit status, the City will maintain its permit tracking software so that permit status and completeness determination is available publicly and kept up-to-date.

In addition, in cases where CEQA exemption is recommended to the decision-making body, the determination of the level of environmental review is not clearly documented. The City will draft a template for completeness letters to include a preliminary CEQA level of environmental review determination.

	By 2024, the City will maintain its permit tracking software so that permit status and completeness determination is available publicly and kept up-to-date when CEQA and decisions are made.
<b>Specific Actions and Timeline</b>	By July 2022, the City will add a section in its completeness letter template regarding the preliminary determination for CEQA level of review.
<b>Lead Department(s)/Agency</b>	Planning
<b>Funding Source(s)</b>	General Fund
<b>AFFH</b>	n/a
<b>Policies Implemented</b>	H-31



**RENT STABILIZATION BOARD**  
**BUDGET & PERSONNEL COMMITTEE MEETING**

**Tuesday, May 17, 2022**

**5:00 p.m.**

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

Pursuant to Government Code Section 54953(e)(3), City Council Resolution 70,030-N.S., and Berkeley Rent Stabilization Board (Rent Board) Resolution 21-29, this meeting of the Rent 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/87932200444?pwd=NUwwOUFrZUpKMWYxRWpobENVdTFpQT09>. 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 Webinar ID: 879 3220 0444 and Passcode: 433762. 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 [amueller@cityofberkeley.info](mailto:amueller@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 DéSeana Williams, Executive Director of the Rent Board, at 510-981-7368 (981-RENT). The Committee may take action related to any subject listed on the Agenda.



## RENT STABILIZATION BOARD

### BUDGET & PERSONNEL COMMITTEE MEETING

Tuesday, May 17, 2022 – 5:00 p.m.

#### AGENDA

1. Roll Call
2. Land Acknowledgment Statement: *The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-Chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.*
3. Approval of agenda
4. Public Comment
5. Approval of March 29, 2022, meeting minutes (attached to agenda)
6. Discussion and possible action recommending extending and increasing the hours for existing temporary staff to assist the Registration Unit with the registration of fully-covered and Measure MM units (See attached report)
7. Review, discussion and possible action regarding 3<sup>rd</sup> Quarter Fiscal Year (FY) 2022 Budget Update and FY 2023 Budget Process (See attached spreadsheet)
8. Discussion and possible action on Rent Board Commissioner CPI stipend increase (See attached draft resolution)
9. Discussion and possible action on Executive Director evaluation tool and process
10. Scheduling of next meeting
11. Adjournment

**STAFF CONTACT: DéSeana Williams, Executive Director (510) 981-7368**  
COMMITTEE: James Chang (Chair), John Selawsky, Leah Simon-Weisberg, Dominique Walker



**RENT STABILIZATION BOARD**  
**EVICTION / SECTION 8 / FORECLOSURE COMMITTEE MEETING**

**Thursday, April 28, 2022**

**5:30 p.m.**

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

Pursuant to Government Code Section 54953(e)(3), City Council Resolution 70,030-N.S., and Berkeley Rent Stabilization Board (Rent Board) Resolution 21-29, this meeting of the Rent Board's **Eviction/Section 8/Foreclosure 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/83957193937?pwd=K2ZhN1liZ0VJamRvaDRpNmVOQjJsdz09>. . 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 Webinar ID: 839 5719 3937 and Passcode: 499050. 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 [msiegel@cityofberkeley.info](mailto:msiegel@cityofberkeley.info) with the Subject line in this format: "PUBLIC COMMENT ITEM FOR EVICTION/SECTION 8 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 3:30 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 DéSeana Williams, Executive Director of the Rent Board, at 510-981-7368 (981-RENT). The Committee may take action related to any subject listed on the Agenda.



Rent Stabilization Board

**RENT STABILIZATION BOARD**  
**EVICTIION / SECTION 8 / FORECLOSURE COMMITTEE MEETING**

**Thursday, April 28, 2022 – 5:30 p.m.**

**AGENDA**

1. Roll call
2. Approval of the Agenda
3. Land Acknowledgment Statement: The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.
4. Approval of Minutes of the March 24, 2022 meeting
5. Public Comment
6. Discussion/ Presentation Measure AA Owner Move-in Report
7.
  - a. Action and Discussion/ Presentation by Eviction Defense Center on Request for Proposal for funding for FY 2022
  - b. Action and Discussion/ Presentation by East Bay Community Law Center on Request for Proposal for funding for FY 2022
8. Future Agenda Items
9. Confirm next meeting date (Commissioners: please bring calendars to meeting)
10. Adjournment

**STAFF CONTACT: Matthew Siegel – (510) 981-4903**

COMMITTEE: Paola Laverde, Mari Mendonca (Chair), John Selawsky, Dominique Walker



Public



**RENT STABILIZATION BOARD**  
**OUTREACH COMMITTEE MEETING**

**Wednesday, May 18, 2022**

**5:15 p.m.**

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

Pursuant to Government Code Section 54953(e)(3), City Council Resolution 70,030-N.S., and Berkeley Rent Stabilization Board (Rent Board) Resolution 21-29, this meeting of the Rent Board's **Outreach Committee** (Committee) will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Resolution and the findings contained therein that the spread of COVID-19 continues to be a threat to the public health and that holding meetings of City legislative bodies in person would present imminent risks to the health and safety of the public and members of legislative bodies. Therefore, **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/85686811649?pwd=R09WUit2NkJ2ODNCOU1yUXdQRE1UUT09..> 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, enter Webinar ID: 856 8681 1649 and Passcode: 564792. 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 [mlaw@cityofberkeley.info](mailto:mlaw@cityofberkeley.info) with the Subject line in this format: "PUBLIC COMMENT ITEM FOR OUTREACH 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 3:15 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 other 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 DéSeana Williams, 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 OUTREACH COMMITTEE MEETING**

**Wednesday, May 18, 2022 – 5:15 p.m.**

### **AGENDA**

1. Roll call (2 min)
2. Land Acknowledgment Statement: *The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchium- (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.*
3. Approval of the Agenda (2 min)
4. Approval of the Minutes of the April 20, 2022 Meeting (5 min)
5. Public Comment (5 min)
6. Discussion/possible action regarding Tenant Survey: Resolution to Confirm Vendor, Social Science Research Center (CalState Fullerton) (10 min)
7. Discussion and Staff Presentation: New Website Update (15 min)
  - a. The Search Function
  - b. Loss of Agendas and Videos from December 2020 and Before

- c. Captioning: Status of Videos being Captioned that are “Pending”
8. Discussion/possible action regarding Language Accessibility for all Materials from Rent Board (including website) (10 min)
  9. Discussion/possible action regarding Section 8/Source of Income Discrimination Ordinance <https://berkeley.municipal.codes/BMC/13.31> (10 min)
  10. Discussion/possible action regarding policy on Emergency Counseling During COVID limited in-person contact (5 min)
  11. Staff Report: Recent and Upcoming Webinars, Workshops (5 min)  
<https://files.constantcontact.com/c3329d33501/ad33a650-7d8f-4f73-a1f9-390145dbb732.pdf> (Fair Chance Ordinance PowerPoint)  
<https://berkeleyjuneteenth.org/> (Juneteenth; Rent Board participating)
  12. Schedule Next Meeting Date (2 min)
  13. Future Agenda Items (5 min)
  14. Adjournment (2 min)

**STAFF CONTACT: Moni T. Law, Housing Counselor (510) 981-4906**  
COMMITTEE: James Chang, Andy Kelley, Paola Laverde (Chair), Mari Mendonca



4x4 Joint Task Force  
Committee on Housing  
City Council and Rent Board

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

**Tuesday, May 3, 2022 – 2:30 p.m.**

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

Pursuant to Government Code Section 54953(e)(3), City Council Resolution 70,030-N.S., and Rent Board Resolution 21-29, this meeting of the City Council and Rent Stabilization Board's **4 x 4 Joint Task Force Committee on Housing** (Committee) will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Resolutions and the findings contained therein that the spread of COVID-19 continues to be a threat to the public health and that holding meetings of City legislative bodies in person would present imminent risks to the health and safety of the public and members of legislative bodies. Therefore, **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/87660974031?pwd=Z251QTZvcDR0QUFJbGV0MGxLaFN6Zz09>. 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 Webinar ID: 876 6097 4031 and Passcode: 059116. 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](mailto: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 12:30 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 DéSeana Williams, Executive Director of the Rent Board, at (510) 981-7368 (981-RENT). The Committee may take action related to any subject listed on the Agenda.



4x4 Joint Task Force  
Committee on Housing  
City Council and Rent Board

## AGENDA

### **4 X 4 JOINT TASK FORCE COMMITTEE ON HOUSING CITY COUNCIL/RENT STABILIZATION BOARD**

**Tuesday, May 3, 2022 – 2:30 p.m.**

1. Roll call
2. Land Acknowledgment Statement: *The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.*
3. Approval of the agenda
4. Public comment on non-agenda matters
5. Approval of April 18, 2022 Committee meeting minutes (see attachment)
6. Discussion and possible action on a memorandum regarding the potential for adding more rent controlled units under CA Civil Code Section 1954.52(b) (Vice-Chair Alpert, see attachment)
7. Discussion and possible action to recommend various amendments to the Rent Stabilization and Eviction for Good Cause Ordinance to be placed on the November 2022 general election ballot (Rent Board staff, see attachment)
8. 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

Monday, April 18, 2022 – 3:00 p.m.

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

Pursuant to Government Code Section 54953(e)(3), City Council Resolution 70,030-N.S., and Rent Board Resolution 21-29, 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 Resolutions and the findings contained therein that the spread of COVID-19 continues to be a threat to the public health and that holding meetings of City legislative bodies in person would present imminent risks to the health and safety of the public and members of legislative bodies. Therefore, **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: 811 6628 6812 and Passcode: 458408. 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](mailto: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.**

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 DéSeana Williams, Executive Director of the Rent Board, at (510) 981-7368 (981-RENT). The Committee may take action related to any subject listed on the Agenda.



4x4 Committee on Housing  
City Council and Rent Board

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

Monday, April 18, 2022 – 3:00 p.m.

### Minutes To Be Approved

1. Roll call: Mayor Arreguín called the meeting to order at 3:04 p.m.  
Present: RBC Alpert, Mayor Arreguín, CM Harrison (logged in at 3:17 p.m., logged off at 4:52 p.m.), RBC Kelley, CM Robinson, RB Chair Simon-Weisberg, CM Taplin (logged in at 3:15 p.m., logged off at 4:59 p.m.)  
Absent: RBC Johnson  
Staff present: Matt Brown, Steven Buckley, Nate Dahl, Amy Davidson, Stefan Elgstrand, Margot Ernst, Jen Fabish, Matthew Siegel, Be Tran, and DéSeana Williams.
2. Land Acknowledgment Statement: *The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.*

The Committee acknowledged the statement.

3. Approval of the agenda: M/S/C (Arreguín/Robinson) Approve the agenda with the following changes: Table item 8 to the next meeting and continue with the balance of the agenda. Roll call vote. YES: Alpert, Arreguín, Kelley, Robinson, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Harrison, Johnson, Taplin. Carried: 5-0-0-3.

There were no public speakers.

4. Public comment on non-agenda matters: There was one speaker.
5. Approval of February 23, 2022 Committee meeting minutes: M/S/C (Robinson/Arreguín) Approve the minutes as written. Roll call vote. YES: Alpert, Arreguín, Kelley, Robinson, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Harrison, Johnson, Taplin. Carried: 5-0-0-3.

6. Discussion and possible action on the proposed revisions to the Demolition Ordinance (Planning Department, see attachment): Steven Buckley of the Planning Department presented. Mayor Arreguín presented his proposed amendments.

M/S/C (Arreguín/Harrison) Recommend to the City Council and Planning Commission the proposed amendments to the Demolition Ordinance as proposed by the Mayor with the following additions:

1. Require that applicants must provide below market rate replacement units (Option A) and set the base rent and have further rent increases be regulated.
2. To recommend that a rent differential be modeled after the criteria in the City's Relocation Ordinance (Chapter 13.84).
3. That rent increases for new BMR units created and existing BMR units be tied to 65% of the increase in the CPI.
4. Recommend consideration of applying just cause eviction protections to BMR units in the future.
5. Refer to staff/Planning Commission to consider if there are situations where flexibility on rent replacement requirements and an option for rent controlled replacement units should be considered instead, for example in the Southside Plan Area or considerations based on the length of tenancies of current tenants.

Roll call vote. YES: Alpert, Arreguín, Harrison, Kelley, Robinson, Simon-Weisberg, Taplin; NO: None; ABSTAIN: None; ABSENT: Johnson. Carried: 7-0-0-1.

There was one public speaker.

7. Discussion and possible action on a memorandum regarding the potential for adding more rent controlled units under CA Civil Code Section 1954.52(b) (Vice-Chair Alpert, see attachment): The committee agreed to discuss this item with item 9.
8. Discussion and possible policy recommendation to Council regarding Relocation Ordinance and suggested additions from previous discussion regarding Tenant Habitability Plan Ordinance (requested by Mayor Arreguín and Chair Simon-Weisberg): Tabled to the next meeting by a prior vote of the committee.
9. Discussion and possible action to recommend various amendments to the Rent Stabilization and Eviction for Good Cause Ordinance to be placed on the November 2022 general election ballot (Rent Board staff, see attachment): The committee discussed items 7 and 9. Commissioner Alpert offered proposed Ordinance amendment language related to item 7, and Mayor Arreguín offered to share the language with the City Attorney for vetting. Due to time constraints and because some members of the committee had left the meeting, the committee agreed to take up these items again at a meeting tentatively scheduled for Thursday, May 5 at 3:00 p.m.

There were no public speakers on items 7 or 9.

10. Adjournment: M/S/C (Arreguín/Kelley) Motion to adjourn. Roll call vote. YES: Alpert, Arreguín, Kelley, Robinson, Simon-Weisberg; NO: None; ABSTAIN: None; Absent: Harrison, Johnson, Taplin. Carried: 5-0-0-3. The meeting adjourned at 5:26 p.m.

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



**MEMORANDUM**

**DATE:** May 3, 2022

**TO:** Honorable Members of the 4x4 Joint Task Force Committee on Housing:  
City Council and Rent Board

**FROM:** Rent Board Vice-Chairperson Soli Alpert

**SUBJECT:** Generating New Rent Controlled Housing in the Context of Costa-Hawkins  
and the Upcoming Housing Element Update

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Rent control protections are an essential part of ensuring stability for tenants. The ability for California cities to enact and enforce rent control protections, however, has been significantly undermined by restrictive state laws. Foremost among these is the Costa-Hawkins Rental Housing Act. One of Costa-Hawkins three primary prohibitions is an exemption of the application of rent control to “new construction.” In the context of the City of Berkeley, “new construction” is defined as being built after June 30, 1980. By using a fixed date rather than a rolling age window, the new construction exemption increasingly undermines our local protections over time, as a smaller and smaller portion of the City’s housing stock fall under rent control protections.

There are three exemptions to this prohibition that the City can use to generate new rent-controlled units: the remodeling of existing residential space, SB 330, and Section 1954.52(b) of Costa-Hawkins itself. However, Chapter 13.76 (Rent Stabilization and Eviction for Good Cause Program) currently does not permit the Board to regulate units under the second two of these, even though they are not exempt under Costa-Hawkins. The Ordinance should be amended to allow units under all three to be directly regulated by the Rent Board.

**Remodel of Existing Structures**

Numerous court rulings have confirmed that the letter and intention of Costa-Hawkins is to exempt truly new housing, not preexisting housing that is rearranged, converted, or otherwise modified but not created from scratch. Under this principle, when existing habitable space that is older than June 30, 1980 but exempt under a different provision undergoes remodeling, it can become covered by rent control as a result of that work. For example, if a large single-family home built before 1980 is retrofit to become a fourplex, any of the four units consisting entirely of space already habitable before the retrofit would not be considered new construction for the purposes of Costa-Hawkins’ new construction exemption.

This is an important but restricted way to generate new rent-controlled units. As the City considers allowing 2, 3, and 4 unit developments more broadly, incentivizing the use of existing

space and disincentivizing demolition can help projects to fit into this model. Additionally, the Rent Board already has the authority to regulate this type of unit, so no amendment to the Ordinance is necessary.

### **SB 330**

One of the provisions of SB 330, the Housing Crisis Act of 2019, requires that cities cannot approve a housing development project that will require the demolition of protected units unless the project replaces all demolished protected units. Protected units include both rent controlled units and inclusionary affordable housing or other deed restricted affordable housing. Cities are granted the discretion as to which kind of protections the replacement units provide, with regard to rent control and deed restricted affordability. It is possible that replacement units could be required to comply with both, though that requires further, separate analysis.

Regardless of whether the City decides to require replacement units be rent controlled, in general or for a specific project, the Ordinance should be amended to allow the Board to directly regulate such units should they come to exist. That allows the City the flexibility to make those determinations based on the best interest of the City and the facts of a given project. This is especially important as the City considers amendments to the Demolition Ordinance and increased density standards that may incentivize demolition. Such an amendment has already been drafted by Rent Board legal staff and is included in the packet.

### **Section 1954.52(b)**

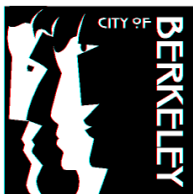
The final exception to the new construction exemption is found in Costa-Hawkins itself and would appear to be the most broad. Section 1954.52(b) of Costa-Hawkins reads:

(b) Subdivision (a) does not apply where the owner has otherwise agreed by contract with a public entity in consideration for a direct financial contribution or any other forms of assistance specified in Chapter 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.

The referenced Subdivision (a) is the provision of Costa-Hawkins containing both the new construction exemption and the single-family-home/condo exemption. Chapter 4.3 contains the State Density Bonus law. A straightforward reading of this section indicates that the City can require a developer or owner to agree to rent control in exchange for greater density, zoning waivers, or a direct financial contribution. While the City may not be able to blanketly require this on all new development, many new developments, especially large developments that make up a significant proportion of new units, often require zoning exemptions and density bonuses. As the City moves forward with the housing element update, it should evaluate when and how it could take advantage of this provision to increase tenant protections in new construction. Regardless of how the City incorporates Section 1954.52(b), the Ordinance should be amended to allow the potential units to come under Rent Board oversight. Rent Board staff

are working on further legal analysis of this section and relevant case law in the process of preparing that amendment.

This is especially important because the City, specifically the Zoning Adjustments Board, has already required a form of rent control in exchange for granting zoning waivers. Because the Ordinance was not written contemplating such units, the ZAB couldn't directly subject the units to Board Oversight. Instead, they are subject to a sort of ad-hoc rent control, without the benefits of Board enforcement, oversight, and regulation.



Rent Stabilization Board  
Legal Unit

## MEMORANDUM

**DATE:** May 3, 2022

**TO:** Honorable Members of the 4 x 4 Joint Committee on Housing

**FROM:** Honorable Members of the Berkeley Rent Stabilization Board  
By: Matt Brown, General Counsel  
Matthew Siegel, Staff Attorney

**SUBJECT:** Proposed Amendments to Rent Stabilization and Eviction for Good Cause Ordinance to be Placed on November 2022 Ballot

### Summary

The Legislation, IRA/AGA & Registration Committee has discussed potential amendments to the Rent Stabilization and Eviction for Good Cause Ordinance to propose to the full Board at each meeting since October 13, 2020. At its March 9, 2022 meeting, the Committee recommended the amendments articulated in this memorandum. The amendments are designed to ensure that the Ordinance better serves its purpose; namely the prevention of arbitrary, discriminatory or retaliatory evictions, in order to maintain the diversity of the Berkeley community and to ensure compliance with legal obligations relating to the rental of housing. In light of both the ongoing housing crisis and the continuing threat to housing stability posed by the COVID-19 pandemic, these proposed amendments enhance the ability of the Board and City Council to preserve the public peace, health and safety, and the availability of housing for low and fixed income households, people of color, students, people with disabilities, and older residents.

At its March 17, 2022 meeting the Board voted to support these amendments and requested that staff forward them to the 4 x 4 Committee for review prior to Council considering these changes. Should they support these proposed amendments, Council will have to place these items on the ballot for the November general election.

The proposed amendments include an amendment to allow for rent control protections to attach to new units that were built as the result of demolition of pre-existing residential structures now allowed by Senate Bill 330 (SB 330); an amendment to expand eviction protections for tenant

households that exceed the number of occupants allowed at the inception of the tenancy; and an elimination of City Council's ability to exempt rent control from units when the vacancy rate reaches a certain level. Each proposed amendment is discussed separately below.

### **1. Allowance for rent control protections on new units covered by SB 330**

#### **Background and Need for Rent Stabilization Board Action:**

SB 330 specifically allows cities to impose rent control protections on units that are built as the result of demolition of previously-controlled units. The Housing Crisis Act of 2019 requires all housing projects that demolish existing residential units to create as least as many residential units as are being demolished. Projects that contain "protected units," which include residential units that have been subject to a local rent control program within the previous five years, are required to provide replacement units at an affordable rent (or sales price) with the same number of bedrooms as the demolished unit. The affordability level of a replacement unit is based on the income level of the last household occupying the demolished unit and must be rented (or sold) at a rate that is affordable to occupants of the same income category or lower. If a "protected unit" was last occupied by persons or families above the low-income category, the affected city has the option to require that the housing project provide: 1) a replacement unit affordable to low-income households for a period of at least 55 years, or 2) a replacement unit that complies with the jurisdiction's rent or price control ordinance.

Currently, the law expressly exempts newly constructed units from Chapters 10 (Establishment of Base Rent Ceiling and Posting), 11 (Annual General Adjustment of Rent Ceilings) and 12 (Individual Adjustments of Rent Ceilings) of the Rent Ordinance. These residential units are subject to the registration requirements of Measure MM, are covered by good cause for eviction, and are entitled to annual security deposit interest, but they are not subject to local rent controls. SB 330 would allow for these new units created as the result of demolished units to be fully covered by the rent control provisions of the ordinance should the City choose that option when approving new construction that was the result of demolition of existing qualifying units.

The Legislation, IRA/AGA & Registration Committee has directed staff to draft language that would amend the Rent Ordinance to allow these units to be fully rent-controlled. To that end, we have added a section to Chapter 4 of the ordinance that distinguishes this type of new construction to that described in BMC Section 13.76.040Q. We also proposed specific reference to paragraph Q in Chapter 5 of the ordinance to distinguish it from newly constructed units that remain exempt from local rent controls.

#### **Proposed Language:**

Chapter 13.76 is amended as follows:

Section 13.76.040

DEFINITIONS

**R. Notwithstanding any other provision in this ordinance and to the extent that state or local law permits, any residential rental units created as a result of demolition or replacement where such demolition or replacement is affected via the creation of a "housing development project" as**

defined in the Housing Crisis Act of 2019 (Senate Bill 330), shall not be exempt as “newly constructed units” and, unless otherwise exempt, shall be covered by all provisions of this chapter.

Section 13.76.050

#### APPLICABILITY

I. Newly constructed rental units, as defined in Section 13.76.040Q. However, the exemption of such newly constructed units shall be limited to their exemption from the terms of Section 13.76.100, Establishment of Base Rent Ceiling and Posting; Section 13.76.110, Annual General Adjustment of Rent Ceilings; and Section 13.76.120, Individual Adjustments of Rent Ceilings, of this chapter. To the extent that state law permits, the exemption of such newly constructed units shall be limited to the first 20 years after completion of construction.

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## 2. Allow for increased occupancy of rental units without threat of eviction

### **Background and Need for Rent Stabilization Board Action:**

The Board also recommended that the Ordinance be amended to prohibit evictions based on the addition of occupants if the landlord has unreasonably refused the tenant’s written request, including a refusal based on the number of occupants allowed by the rental agreement or lease. The Legislation, IRA/AGA & Registration Committee also expressed strong interest in adopting changes to Regulation 1270 to be more permissive in allowing an increase in the number of tenants occupying a unit without a corresponding rent increase should such amendments to the eviction protections be adopted by the voters.

Tenants’ ability to add additional occupants to their household can be a precarious proposition given that a good cause for eviction lies when a tenant household substantially violates a material term of the rental agreement. While tenants are currently protected from eviction when there is one-for-one replacement of tenants, the Ordinance specifically provides a ground for eviction when any subletting by the tenant household results in an increase above the base occupancy level (B.M.C. 13.76.130A.2.(c)). For this reason, the Board recommended amendments be made to the Ordinance prior to the adoption or amendment of any regulations that intend to expand a tenant’s right to increase the size of their household.

The Board already has express authority to regulate the manner and grounds for which rents may be increased or decreased,<sup>1</sup> but the grounds for eviction are hard-coded in the Ordinance (B.M.C. 13.76.130.). One such basis for eviction is when the “...tenant has continued...to substantially violate any of the material terms of the rental agreement...”(B.M.C. 13.76.130A.2.). Thus, while Board Regulation 1270 can be amended to allow for an increase in the base occupancy level of a unit without a corresponding rent increase, the regulation cannot override the good cause for eviction based on a lease violation, such as when a household has more occupants than those

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<sup>1</sup> See B.M.C. Section 13.76.120C.

allowed pursuant to the initial agreement between the landlord and tenant.

The Board elected to put the proposed changes to the good cause for eviction section of the ordinance before the voters to protect tenants from displacement prior to adopting amendments to the ordinance that would disallow rent increases for increases in occupancy.

**Proposed Language:**

Section 13.76.130

GOOD CAUSE REQUIRED FOR EVICTION

2. The tenant has continued, after written notice to cease, to substantially violate any of the material terms of the rental agreement, except the obligation to surrender possession on proper notice as required by law, and provided that such terms are reasonable and legal and have been accepted in writing by the tenant or made part of the rental agreement; and provided further that, where such terms have been accepted by the tenant or made part of the rental agreement subsequent to the initial creation of the tenancy, the landlord shall have first notified the tenant in writing that he or she need not accept such terms or agree to their being made part of the rental agreement. Notwithstanding any contrary provision in this chapter or in the rental agreement, a landlord is not entitled to recover possession of a rental unit under this subsection where a tenant permits his or her rental unit to be occupied by a subtenant, provided:

- a. The landlord has unreasonably withheld consent to the subtenancy; and
- b. The tenant remains an actual occupant of the rental unit; and
- c. The number of tenants and subtenants actually occupying the rental unit does not exceed ~~the number of occupants originally allowed by the rental agreement or the board's regulations, whichever is greater~~ the maximum number of occupants legally allowed under Section 503(b)(2) of the Uniform Housing Code as incorporated by California Health & Safety Code Section 17922, except where prohibited by law.
- d. Withholding of consent by the landlord shall be deemed to be unreasonable where:
  - (i) ~~The tenant's written request for consent was given at least two weeks prior to commencement of the subtenancy~~ tenant has made a written request to the landlord to either sublet the unit and/or add additional occupants, and the landlord has failed to respond in writing within fourteen (14) days of the tenant's request;  
or

(ii) The proposed new subtenant has, upon the landlord's written request, completed the landlord's standard form application or provided sufficient information to allow the landlord to conduct a standard background check, including references and credit, income and other reasonable background information, and the proposed new subtenant or additional occupant meets the landlord's customary occupancy qualifications and has not refused the landlord's request to be bound by the terms of the current rental agreement between the landlord and the tenant; and or

~~(iii) The proposed new subtenant meets the landlord's customary occupancy qualifications and has not refused the landlord's request to be bound by the terms of the current rental agreement between the landlord and the tenant; and~~

(iv) The landlord has not articulated in writing a well-founded reason for refusing consent. A landlord's reasonable denial may not be based on the proposed occupant's lack of credit worthiness or income if that occupant will not be legally obligated to pay some or all of the rent to the landlord.

e. Where a landlord can establish that the proposed additional occupant presents a direct threat to the health, safety, or security of other residents of the property, the landlord shall have the right to deny the proposed tenant's occupancy.

f. Before initiating an action to recover possession based on the violation of a lawful obligation or covenant of tenancy regarding subletting or limits on the number of occupants in the rental unit, the landlord shall serve the tenant a written notice of the violation that provides the tenant with a minimum of fourteen (14) days to cure the violation. The notice must also inform the tenant(s) of their right to add subtenants and/or add additional occupants pursuant to this section.

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### 3. Eliminating “Decontrol” clause from ordinance

#### **Background and Need for Rent Stabilization Action:**

The Rent Ordinance has a section that allows the Berkeley City Council to exempt units from rent control should vacancy rates reach 5% over a six-month period.<sup>2</sup> While Council has the discretion to eliminate rent controls for units (it is not mandatory), this clause is inconsistent with

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<sup>2</sup> BMC Section 13.76.060Q.



the Charter and most all of the Rent Ordinance which establishes the Board's independent authority to regulate rents and administer the law independent of any other elected or appointed body. Moreover, given that both the Charter and Rent Ordinance are voter-adopted initiatives, it certainly makes more sense to put the issue of decontrol before the voters in the event that the community decides to eliminate local rent control. Council has no other authority to interfere either substantively or procedurally in the Board's administration, so removing this clause will be consistent with the overall operation of the rent program and the law the Board and staff administer.

The proposal would be to simply eliminate this section of the Rent Ordinance.

**Proposed Language:**

Section 13.76.060

**RENT STABILIZATION BOARD**

~~Q. Decontrol: If the annual average vacancy rate for all rental units in the city of Berkeley exceeds five percent over a six month period, the city council is empowered, upon request by the board, at its discretion and in order to achieve the purposes of this chapter, to exempt rental units covered by this chapter from Sections 13.76.080, 13.76.100, 13.76.110 and 13.76.120 of this chapter. In determining the vacancy rate for the city of Berkeley the board and the city council shall consider all available data and may conduct their own survey. If units are exempted pursuant to this Subsection Q coverage shall be reimposed if the city council finds that the average annual vacancy rate has thereafter fallen below five percent. Prior to any decision to exempt or renew coverage for rental units under this Subsection Q the board shall hold at least two public hearings.~~

**CONCLUSION**

The Board unanimously proposed that the 4 x 4 Committee review these amendments and request that they be forwarded to Council for further consideration at a later date. After the 4 x 4 Committee discusses them and decides what it wishes to propose, the City Council will have to vote to place the matters it supports on the ballot for the November general election.

These are the initial matters the Board has discussed, but this memo is not meant to be an exhaustive list of items the Board wishes to have Council consider placing on the November ballot. The Legislation, IRA/AGA & Registration Committee has informed legal staff that there may be other items they will request that the Board and Council support. Time is of the essence as Council will have to place these matters on an agenda soon in order to meet any ballot measure deadlines. Staff awaits this Committee's instruction on how it wishes to proceed.