

# BERKELEY RENTAL NEWS

Newsletter of the Berkeley Rent Stabilization Board

## RENT CONTROL 101

### WHAT IS RENT CONTROL?

Berkeley Rent Control is a law designed to provide stability in the lives of renters. It gives tenants four rights:

▪ **Stable Rent**

Tenants have the right to rent an apartment knowing their rent won't increase substantially while they're living there.

▪ **Good Cause for Eviction**

Tenants have the right to stay in their apartment unless their landlord has a "good cause" to evict them, as listed in the Rent Ordinance. Tenants do not have to move just because the lease period ends.

▪ **Security Deposit Interest**

Tenants have the right to receive interest on their security deposit every December.

▪ **Stable Services and Habitable Conditions**

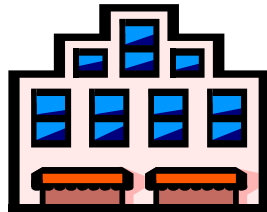
Tenants have the right to habitable conditions and the services they paid for when they originally rented their apartment.

If there are housing code violations or if the landlord removes services, the rent can be reduced.

If tenants believe their rights are being violated, or if landlords believe their tenants are taking advantage of them, they should call the Rent Board housing counselors:



644-6128



### WHEN CAN A LANDLORD RAISE THE RENT?

Once a tenancy has started, only three circumstances allow a landlord to raise the rent ceiling (the ceiling is the highest amount authorized by Rent Board):

**1. Annual General Adjustments (AGA's)**

Every January the Rent Board authorizes an increase, known as the Annual General Adjustment. However, tenants who move in one year, say 2001, will not sustain an AGA increase the next January, but they will the following year, in 2003.

**2. State Law**

State law allows a landlord to raise the rent when the last original tenant in a group moves out. For example, if two people, Tenants A and B, rent together and Tenant A moves out, Tenant B may stay there and replace the roommate (with Tenant C) without a rent increase; however, once Tenant B moves out, the landlord can raise the rent of Tenant C (and his roommate) to market levels.

**3. Landlord Petition**

Landlords may petition for rent increases if there have been qualifying capital improvements or major repairs; if the number of tenants increases; or if new space or services are added to their units.

### WHAT IS A SECURITY DEPOSIT FOR?

A security deposit is any amount a landlord charges upon move-in, not including the first month's rent.

It may be called last month's rent, security deposit, or pet or cleaning deposit, but it may not exceed two months' rent for an unfurnished unit and no portion of it may be considered non-refundable.

Twenty-one days after all the tenants leave, a landlord must give an

itemization and refund of the security deposit. A landlord may

retain all or part of the deposit for cleaning or repairs if a tenant has caused damage to the apartment.

It is often difficult to remember exactly what the apartment looked like when the tenants moved in. The landlord may try to charge the tenants, while the tenants may believe the problem existed before they moved in.

**Check out the Rent Board's new Security Deposit Video Project!**

Tenants and landlords can avoid this problem by recording the condition of the apartment when the tenant moves in. We recommend a written log that documents the condition of the unit, as well as photos and/or a video. The Rent Board is offering free videotaping of apartments to prevent future disputes about damages. Call 644-6128 x 116 for more information or to schedule a video.



### SAFETY TIPS FOR TENANTS AND LANDLORDS

Three Berkeley tenants died in apartment fires last year. As a result, the City has instituted a Rental Housing Inspection Program. (See brochure insert.)

Make sure heaters, appliances, smoke detectors and plumbing are functional upon move-in. Tenants: Use candles with caution and turn off appliances when you exit your apartment.

Tenants may be held financially responsible for damage from fires that they caused. For more safety information, call the Office of Emergency Services: 981-5605.

**GET READY FOR THE RAINY SEASON!**



Though the sun may be shining now and the weather still warm, cold and rainy weather is not far away. Tenants, don't wait until you're cold to ask your landlord to fix your heater, seal leaks, or attend to other maintenance tasks.



**WHAT HAPPENS IF A TENANT'S APARTMENT NEEDS REPAIR WORK?**

If a landlord does not respond to a verbal request for repair, a tenant should send a written request to the landlord and keep a copy of the letter. If the landlord still does not respond, the tenant may call the City Housing Department for an inspection: **644-6445**.

A tenant may also file a petition with the Rent Board to request a rent reduction until the problem is fixed.

**2002 AGA HEARINGS**

Rent Board Hearings for the 2002 Annual General Adjustment will be held at the Rent Board, in the library, at 7:00 p.m. on

**October 1, 2001**

**October 15, 2001**

**BERKELEY HOUSING AUTHORITY (BHA) SECTION 8 VOUCHER WAIT LIST OPENING**

**September 17-October 5**

Applications for Section 8 vouchers will be accepted from low-income tenants during the dates above. BHA standards for gross annual qualifying income are

1 person	\$25,050	2 p.	\$28,650
3 p.	\$32,300	4 p.	\$35,800
5 p.	\$38,650	6 p.	\$41,550

Applicants must be or have heads of households who live or work at least 20 hrs/wk in Berkeley. Tenants, call 981-5406 for more info or to receive an application. Landlords, call 981-5407.

**NEW MEDIAN RENT LEVELS FOR 2001**

(for tenancies beginning 12/23/00-6/30/01).

<b>Studio</b>	<b>\$ 800</b>
<b>1 Bedroom</b>	<b>\$1050</b>
<b>2 Bedroom</b>	<b>\$1460</b>
<b>3 Bedroom</b>	<b>\$1910</b>

**HOW TO SELL OR ACQUIRE A BUILDING WITHOUT DISPLACING CURRENT TENANTS**



Limited Equity Housing Cooperatives (LEHC's) offer a way for tenants to purchase their current apartment buildings and for owners to sell tenant-occupied buildings that can often be difficult to sell—without paying realtor fees.

Owners must be willing to sell to the residents and to wait long enough for them to make all the financial arrangements-- at least 3 months. A majority of the tenants must be interested in the purchase.

Qualities of the ideal LEHC candidate include

- ◆ At least 8 units
- ◆ Reasonable sale price
- ◆ Well-maintained property requiring minimal repairs, unless the price is very low
- ◆ 2 and/or 3 bedroom units
- ◆ Common space

If all or most residents are low-income, it may be possible to get public funding. Otherwise, tenants' rents will have to pay for all operating costs.

For more information, please call the Northern California Land Trust at 548-7878, a Berkeley-based non-profit developer that specializes in helping tenants form LEHC's, preserving housing for low- to moderate-income people.

**LA OFICINA DE CONTROL DE RENTAS.**

Si usted gusta esta informacion en espanol, favor de llamar y preguntar por Sandra Pardo (510) 644-6128 ext. 122, o Carlos Rios 644-6128 ext. 121.



**RENT BOARD INFORMATION**

The Rent Board's website offers lots of useful information, including links to CA state laws, other cities with Rent Control, useful publications for landlords and tenants, and much more.

Visit us at

[www.ci.berkeley.ca.us/rent](http://www.ci.berkeley.ca.us/rent)

Rent Stabilization Board

2125 Milvia Street

Berkeley, CA 94704

(510) 644-6128

(510) 644-7723

E-mail: [rent@ci.berkeley.ca.us](mailto:rent@ci.berkeley.ca.us)

Office Hours:

Mon.-Tues., Thurs.-Fri.,

9:00 a.m. - 4:45 p.m.

Wed. 12:00 noon - 4:45 p.m.

**OTHER IMPORTANT PHONE NUMBERS**



**City of Berkeley:**

Fire Prevention ..... 981-5585

Garbage Collection .... 644-8856

Health Department ..... 644-6510

Housing Inspections .... 644-6445

Relocation Program ... 981-5413

**Other:**

ASUC Renters Legal

Assistance ..... 642-1755

Berkeley Dispute

Resolution Service.... 428-1811

Berkeley Black Property

Owners Assoc..... 595-3304

Berkeley Property Owners

Assoc ..... 525-3666

Dept. of Fair Employment

and Housing ..... 800-884-2684

Dept. of Consumer

Affairs ..... 800-344-9940

East Bay Community Law

Center ..... 548-4040

East Bay Municipal Utility

District..... 232-5051

Eviction Defense Center 452-4541

Housing Rights, Inc.....548-8776

Lawyer Referral Service 893-8683

Lawyers in the Library

Claremont ..... 644-6880

North Berkeley ..... 644-6850

South Berkeley ..... 644-6860

West Berkeley ..... 644-6870

Community Legal Aid

Society ..... 451-9261

Legal Assistance for

Seniors ..... 832-3040

Sentinel Fair Housing..... 836-2687

Small Claims

Information ..... 644-6303