To: Honorable Members of the Berkeley Rent Board  
From: Commissioners Igor Tregub, Chair Laverde and Vice Chair Simon-Weisberg  
Subject: Recommendation to Support the Tenant Opportunity to Purchase Act Ordinance in Berkeley

RECOMMENDATION

The Berkeley Rent Board shall take a “Support” position on the concept of the pending Tenant Opportunity to Purchase Act Ordinance, and communicate this position to the Berkeley City Council.

Minimal staff time

BACKGROUND

The Tenant Opportunity to Purchase Act (TOPA) is a policy that empowers tenants to determine the future of their housing when an owner is ready to sell, by giving tenants the opportunity to collectively purchase the property they live in. It accomplishes 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, including owner-occupied Single Family/Owner Occupied properties, including those with an Accessory Dwelling Unit or other secondary dwelling unit, that do not have a homeowner exemption registered with the County Tax Assessor.

The TOPA proposal, following years of research and work by members of the City Council, the East Bay Community Law Center, and other stakeholders, is currently in the Berkeley City Council Land Use, Housing, and Economic Development Committee. The current draft is available at https://www.cityofberkeley.info/uploadedFiles/Clerk/2020-03-05%20Agenda%20Packet%20-%20Land%20Use.pdf.

CONTACT

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