

Mueller, Aimee B.

Subject: FW: Fw: Letter Received from University of California, Berkeley

From: Paul Wallace <pw3333@gmail.com>

Sent: Tuesday, May 5, 2020 4:09 PM

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Subject: Letter Received from University of California, Berkeley

Dear City of Berkeley Council Member,

My name is Paul Wallace, and I live at [1921 Walnut Street, Apartment 6, Berkeley](#). I write on behalf of my fellow residents in the building and I, who have united as a group: **The 1921 Walnut Street Association**. We all consider this building our 'home', some of my fellow residents have lived here for more than 25 years.

On Friday April 17, upon arriving home from the grocery store, I found the attached letter taped to my door. It is quite disturbing. All residents in the building received a similar letter. The letter, a 'General Information Notice' was in a printed envelope from F.E. Forbes Company (the management company for our building), however the enclosed letter/notice was addressed directly from the **University of California, Berkeley**. The letter is dated April 20th, 2020; the date of delivery was April 17, 2020.

I have a few questions/observations from the letter for your consideration:

- The notice indicates that the "**Regents**" propose to undertake the redevelopment of the property we occupy. Can they do this, unilaterally?
- The property is a rent-controlled residential building, can the "**Regents**" remove rent-controlled residential units from the Berkeley housing market like this?
- The notice refers to State and Federal 'Acts' and 'Codes' which may assist with relocation or displacement, however the notice is silent on Berkeley ordinances or rights. Do any rights as a City of Berkeley resident supersede the State or Federal protection or compensation?
- Are these cumulative or does one overshadow the others, this is all rather confusing and distressing, and would be at the best of times ... but now?

Kindly forgive all of the questions, but it has been quite disturbing to receive such a notice ... and at this time. It is shocking to us that such a cold and rather inhumane notice could be delivered to any resident during a national pandemic, when we are presently under a stay-at-home order due to the Covid-19 outbreak. It gives us adequate reason for concern, that the

"Regents" do not have the best interests of the buildings occupants in mind. Some additional questions/observations, please, for your consideration:

- The notice indicates that the "Regents" have engaged the services of a professional firm Autotemp, who will be conducting phone interviews with the tenants commencing the week of April 27th, for the purposes of preparing a 'Relocation Plan'. Autotemp has approached some of the tenants via telephone, and have commenced their interviews, so this issue is imminent, and forefront on our minds.
- We understand that the Mayor of Berkeley is the primary author of the proposed **Tenant Opportunity to Purchase Act (TOPA)**, which along with many other reasons, is designed to assist residents in situations such as ours, as tenants in a rent-controlled building. Can you assist with advice on this potential, or can you refer us to someone who may be able to assist us on these matters? Apparently this law is imminent. We do get the distinct impression that UC is trying to acquire this property under the radar, and under cover of Covid-19 prior to TOPA being a reality in the City of Berkeley.
- Can you recommend an appropriate attorney, or does the City have the resources to dispute what my fellow residents some of whom **have lived here for more than 25 years**, and I, believe to be a tremendous injustice, for many reasons, but particularly at this time?

Again, the timing of this notice seems to be entirely insensitive, given this pending TOPA, and the potential implications for Berkeley residents in our situation.

Upon learning this tragic news, and further delving into the history of this potential development, the City block in which our building is located apparently comprises 6 parcels. The 'block' is bound by University Avenue, Oxford Street, Berkeley Way and Walnut Street. It appears that, as recently as January 22, 2020, the 'Regents' had intended to develop a student housing structure termed the Gateway Project on the other 5 City parcels on our block, while leaving our building intact. Our apartment building was constructed in 1909 (at the time it was called the Home Street Apartments) under the direction of architect George L. Mohr, who was instrumental in designing a number of buildings which are on the Berkeley Landmarks list. These include: the Acheson Physicians' Building (1908); the William T. Such Building (1906); and the Bonita Apartments (1905). Perhaps our apartment building has some historical significance?

Lastly, in recent years we have had considerable construction on our doorstep, and it seems that the "Regents" are above the law, or somewhat exempt from complying with regulations that private developers have to comply with. This gives further rise for concern that the other building occupants and I, may not be treated fairly, or may be overlooked as it relates to our 'fair' treatment or our rights.

We bring this to your attention at this time, because my fellow residents and I feel very strongly about the timing, the insensitivity, and the inability to be able to effectively research and act in our interests due to the shelter-at-home. We are in the middle of a world crisis, a national emergency and a State-wide lock-down. Most resources are being directed toward Covid-19 and Covid-19 relief efforts ... EXCEPT UC - who is working toward displacing tenants and taking advantage of the pandemic and the crisis that we are currently in. Furthermore, we have a high barrier to accessing information about our tenant rights, due to the restrictions during this pandemic.

Kindly give this your timely, but careful consideration, and reach back to us at your earliest possible convenience. We would like the opportunity to present our circumstance to the City of Berkeley Council. As Berkeley City residents, we strongly seek your assistance in this potential displacement, and in particular during these troubling times. We are also available for a telephone call or a video call, at your convenience.

For and on behalf of the **1921 Walnut Street Association:**

Sincerely,

Paul Wallace

(415) 518 0333