



Rent Stabilization Board

February 21, 2020

Dear Property Owner:

Enclosed is a Notice of Apparent Lawful Rent Ceiling for your property, which lists rent ceilings that have been updated, where applicable, to include the 2020 Annual General Adjustment. It may also provide: 1) the number of bedrooms; 2) the number of occupants permitted within the rent ceiling; 3) the start date of the current tenancy; and 4) the housing services included in the rent ceiling. This Notice is **not** a binding determination; the information is based on the Rent Stabilization Board's records, which are generally very reliable but may not be complete or current.

If information in the Notice is incorrect because a new tenancy was not reported, you must file a signed Vacancy Registration Form (VR) for each unreported new tenancy. VR forms are available in our office, by mail and from our website. **You may also report a new tenancy by going to our website and clicking on "Register Online."**

We will be mailing a similar Notice directly to your tenants. If you need to report a new tenancy, please do so promptly so that your tenants' Notice shows the correct rent ceiling. Outdated rent ceilings can cause misunderstandings because it appears to the tenants that you are overcharging them.

If you believe the information in this Notice is incorrect for some other reason, you can update your rent ceiling information anytime by visiting our website at www.cityofberkeley.info/rent and clicking on "**My Rent Ceiling**." I also encourage you to join our online mailing list and receive information and timely updates! Just go to our website and click on "**Join Our E-mail Lists**."

Completed VR forms and other corrections may be mailed to us at the address below, faxed to us at (510) 981-4910, or e-mailed to rent@cityofberkeley.info.

If you have questions or need assistance with the information in the Notice, please do not hesitate to contact a housing counselor at (510) 981-7368 (RENT).

Sincerely,

A handwritten signature in black ink that reads "Jay Kelekian".

Jay Kelekian
Executive Director

SPANISH translations of this letter can be provided. Please call (510) 981-7368.

Para la traducción en **español** de esta carta, por favor llame al (510) 981-7368.

Don't Forget To Update Registration Info Online!

Owners are now able to take care of all registration needs online – including updating tenancy data, claiming exemptions, and paying registration fees.

Go to our website and click on "Register Online."

Important Updates to State and Local Rental Laws

In the past year, both the Berkeley Rent Board and California legislature have passed regulations and laws governing residential rental property. Property owners are strongly encouraged to review the changes described below.

Return of Security Deposit Interest: In September 2019, the Board amended Regulation 704 on the annual refund of accrued security deposit interest. Under the amended regulation, a tenant who has not received a refund of security deposit interest by January 31 for any prior years may deduct the interest from a future rent payment. The tenant may deduct simple interest at the rate of 10% for the immediately preceding year only.

New Relocation Payment Levels for Ellis and Owner Move-in Eviction: For 2020, tenants evicted under the Ellis Act or for Owner/Relative Move-In (OMI) are entitled to a \$16,084 relocation payment divided equally among all tenants in the unit, with an additional \$5,361 for low-income, disabled, elderly, families with minor children, or tenancies that began prior to 1999.

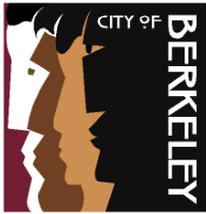
90 Days' Notice Now Required for Rent Increases Over 10%: Starting January 1, 2020, property owners must give at least 90 days' notice for rent increases greater than 10%. New state law AB 1110 increased the notice period, which was previously 60 days, for all units in California. State law remains unchanged for rent increases of 10% or less, for which at least 30 days' notice is required.

Prohibition on Housing Discrimination Based on Source of Income: In July 2017, the City of Berkeley passed legislation to prohibit landlords from discriminating based on a tenant's or prospective tenant's source of income. Under the new law, source of income includes governmental rental assistance and Section 8 vouchers. In October 2019, the California legislature passed SB 329, which similarly clarifies state law by including Section 8 voucher holders as a protected class.

Statewide Anti-Rent Gouging and Just Cause Eviction Protections: The passage of a statewide law limiting rent increases has caused some confusion in Berkeley, which already has an existing rent regulation law. The new state law, AB 1482, limits annual rent increases to 5% plus inflation and requires just cause to evict tenants who have lived in their unit for at least one year. **Owners should be aware that the new law does not have any impact on units already subject to the more-restrictive Berkeley Rent Ordinance.** However, the statewide rent cap **does apply** to certain Berkeley units that are exempt from the Ordinance, including those that were built after 1980 and are more than 15 years old, and single-family homes that are owned by certain corporate entities. The statewide rent cap does not apply to any of the following units in Berkeley: Units that are less than 15 years old, single-family homes owned by a natural person, owner-occupied duplexes, and government-subsidized housing (e.g. Section 8, Shelter Plus Care). For more information, go to www.cityofberkeley.info/rent/ and click on "New Laws and Regulations."

Questions on how these changes could affect YOUR rental property?

**Contact a Rent Board Housing Counselor at
510-981-RENT (7368)**



Rent Stabilization Board

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Para la traducción en **español** de esta carta, por favor llame al (510) 981-7368.

Can't Pay Rent or Other Bills Due to COVID-19?

Find out about your rights! See enclosed flyer.

April 28, 2020

Dear Tenant:

Enclosed is a Notice of Apparent Lawful Rent Ceiling for your unit, which may include: 1) the maximum allowable rent that can be charged for your rental unit; 2) the start date of the current tenancy; 3) the number of occupants permitted within the rent ceiling; 4) the housing services included in the rent ceiling; and 5) the number of bedrooms.

For most tenancies that began after January 1, 1999, the initial rent amount a tenant agrees to pay at the start of the tenancy becomes the legal base rent for the rest of that tenancy. Increases above that base rent are controlled by the Rent Stabilization Board.

This Notice is informational and is **not** a formal, binding determination. The Notice is based on the Rent Stabilization Board's records, as reported by the owner. The Board's records are generally very reliable, but they may contain clerical errors, omissions, or be out of date because current information was not provided. It's important that you review this Notice for accuracy. **First, check the start date of the tenancy.**

If the Tenancy Start Date in the Notice is Correct:

If you are paying more than the rent amount indicated, you may be entitled to a refund of the excess. Please contact a housing counselor at (510) 981-7368 to discuss your situation.

If the Tenancy Start Date in the Notice is Incorrect:

The rent level in this Notice might be outdated if your landlord has not reported your tenancy to us. You can help protect your rights by making corrections. Corrections written on this Notice can be mailed or faxed to us. Please also provide some form of evidence, such as a written lease agreement with the correct rental amount, which shows the information on the Notice is incorrect, as well as a contact phone number and/or email address. You can also correct your tenancy information by visiting our website at www.cityofberkeley.info/rent, and clicking on "My Rent Ceiling," or e-mail us at rent@cityofberkeley.info. Please be sure to include the street address and unit number. You can also speak with one of our housing counselors at (510) 981-7368.

Finally, I encourage you to join our online mailing list and receive information and timely updates! Just go to our website and click on "**Join Our E-mail List.**"

Sincerely,

A handwritten signature in black ink that reads "Jay Kelekian".

Jay Kelekian, Executive Director

KNOW YOUR RIGHTS!

In the past year, both the Berkeley Rent Board and California legislature have passed new rules governing residential rental property. Take a moment to review the changes described below:

Prohibition on Roommate- Replacement & Lease-Breaking Fees

In April 2020, the Berkeley City Council passed a new law that prohibits landlords and management companies from charging fees to tenants for replacing roommates. The new law also prohibits landlords from charging fees to tenants when they are breaking their lease agreements.

New Rules on Return of Security Deposit Interest

In September 2019, the Board amended Regulation 704 on the annual refund of accrued security deposit interest. Under the amended regulation, a tenant who has not received a refund of security deposit interest by January 31 for any prior years may deduct the interest from rent. The tenant may deduct at the rate of 10% simple interest only for the immediately preceding year, and at the Federal Reserve rate for any years before that.

New Relocation Payment Levels for Ellis and Owner Move-in Eviction

For 2020, tenants evicted under the Ellis Act or for Owner/Relative Move-in are entitled to a \$16,084 relocation payment divided equally among all tenants in the unit, with an additional \$5,361 for low-income, disabled, elderly, families with minor children, or tenancies that began prior to 1999.

90 Days' Notice Now Required for Rent Increases Over 10%

Starting January 1, 2020, property owners must give at least 90 days' notice for rent increases greater than 10%. AB 1110 increased the notice period, which was previously 60 days. State law remains unchanged for rent increases of 10% or less, for which at least 30 days' notice is required.

Statewide Anti-Rent Gouging and Just Cause Eviction Protections

The passage of a statewide law limiting rent increases has caused some confusion in Berkeley, which already has an existing rent regulation law. The new law, AB 1482, limits annual rent increases to 5% plus inflation and requires just cause to evict tenants who have lived in their unit for at least one year. **Tenants should be aware that the new law does not have any impact on units already subject to the more-restrictive Berkeley Rent Ordinance.** However, the statewide rent cap **does apply** to certain Berkeley units that are exempt from the Ordinance, including those that were built after 1980 and are more than 15 years old, and single-family homes that are owned by certain corporate entities. For more information, go to www.cityofberkeley.info/rent/ and click on "New Laws and Regulations."

**Questions on how these changes could affect you?
Contact a Rent Board Housing Counselor at:
(510) 981-RENT (7368)**

Can't Pay Rent or Other Bills Due to COVID-19? YOU HAVE PROTECTIONS -- **ACT NOW!**

If you're unable to pay rent as a result of the impacts of COVID-19:

Under the City Council's **Eviction Moratorium**, you **cannot be evicted for not paying rent** that came due after March 17th, and you have six months from the end of the emergency to pay any back rent before the owner can demand that it be paid - **But, you must:**

- ◆ Notify your landlord in writing of your inability to pay all or part of your rent **as soon as possible (do not delay)**.
- ◆ Gather supporting documentation. You must keep documentation that shows why you cannot pay the full rent. In the future, you may have to prove how you were financially impacted.

If you **need assistance paying the rent** because of COVID-19, you may qualify for **Berkeley's Housing Retention Grant** of up to \$10,000.

Please see the contact information in the box to the right.



Resources for Berkeley Tenants

Help Berkeley
helpberkeley.org

Alameda County Community Food Bank
(510) 635-3663 (FOOD)

Berkeley Mutual Aid Network
(510) 519-6770 or berkeleymutualaid@gmail.com

Berkeley Food Network On-Site Pantry
(510) 616-5383

Crisis Support Services of Alameda County
(800) 273- 8255

Berkeley Housing Retention Grants

For information on how the grant program works, see:
www.cityofberkeley.info/covid19-housing-retention/

To apply for a Housing Retention Grant, call either:

- ◆ **East Bay Community Law Center**
(510) 548-4040 (Extension 695) *or*
- ◆ **Eviction Defense Center**
(510) 452-4541

UPDATE FOR TENANTS THAT NEED TO REPLACE A ROOMMATE OR BREAK A LEASE

The City Council just approved an ordinance that prohibits landlords and management companies from charging fees to tenants for replacing roommates or breaking lease agreements.
Contact a Housing Counselor for more information.

For the most up-to-date information about your rights and responsibilities as a Berkeley tenant related to COVID-19, please visit our website: cityofberkeley.info/rent

Our office is closed to the public, but Housing Counselors are responding to inquiries via email and phone.

PHONE: (510) 981-7368 (RENT)

EMAIL: rent@cityofberkeley.info

¿NO PUEDE PAGAR LA RENTA U OTRAS FACTURAS DEBIDO A COVID-19? TIENE PROTECCIONES ¡ACTÚE AHORA!

Si no puede pagar la renta como resultado de los impactos de COVID-19

Según la Moratoria de desalojo de Berkeley, no puede ser desalojado por no pagar la renta que venció después del 17 de marzo, y tiene seis meses a partir del final de la emergencia para pagar la renta atrasada antes de que el propietario pueda exigir que se pague, **pero debe:**

- Notificar al propietario por escrito sobre su incapacidad para pagar todo o parte de su renta lo antes posible (no se demore).
- Recolectar la documentación de soporte. Debe guardar documentación que muestre por qué no puede pagar la renta completa. En el futuro, es posible que tenga que demostrar cómo se vio afectado financieramente. Por favor llame un Consejero de Vivienda de la Oficina del Departamento de Control de Renta si tiene preguntas sobre la Moratoria de desalojo.

Si necesita asistencia financiera para pagar la renta, debido a COVID-19, puede calificar para ayuda de retención de vivienda de Berkeley de hasta \$10,000.

Consulte la información de contacto en el cuadro de la derecha.



Recursos para los inquilinos de Berkeley

De Comida

- ◆ **Help Berkeley**
helpberkeley.org
- ◆ **Alameda County Community Food Bank**
(510) 635-3663 (FOOD)
- ◆ **Berkeley Food Network On-Site Pantry**
(510) 616-5383

Otro Apoyo

- ◆ **Crisis Support Services of Alameda County**
(800) 273-8255
- ◆ **Berkeley Mutual Aid Network**
(510) 519-6770 o berkeleymutualaid@gmail.com

Ayuda de retención de vivienda

Para obtener información sobre cómo funciona el programa de ayuda, consulte:
www.cityofberkeley.info/covid19-housing-retention/

Puede aplicar para ayuda de retención de vivienda al llamar

- ◆ **East Bay Community Law Center**
(510) 548-4040 (Extensión 695) o
- ◆ **Eviction Defense Center**
(510) 452-4541

ACTUALIZACIÓN PARA INQUILINOS QUE NECESITAN REEMPLAZAR UN COHABITANTE O ROMPER UN ARRENDAMIENTO

El Ayuntamiento acaba de aprobar una ordenanza que prohíbe que los propietarios y las empresas gerenciales cobren tarifas a los inquilinos por reemplazar a los cohabitantes o compañero(a) de casa o romper los contratos de arrendamiento. Póngase en contacto con un Consejero de Vivienda para obtener más información.

Para obtener la información más actualizada sobre sus derechos y responsabilidades como inquilino de Berkeley relacionado con COVID-19, visite nuestro sitio web: cityofberkeley.info/rent

Nuestra oficina está cerrada al público, pero los consejeros de vivienda están respondiendo a las preguntas por correo electrónico y por teléfono.

TELÉFONO: 510-981-7368 (RENT)

CORREO ELECTRÓNICO: rent@cityofberkeley.info