



Rent Stabilization Board

**RENT STABILIZATION BOARD**  
**Regular Meeting**  
**Thursday, July 16, 2020**  
**7:00 p.m.**

***Minutes - Approved***

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the City of Berkeley Rent Stabilization Board (Rent Board) was 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 was no physical meeting location available.**

This meeting was conducted in accordance with Government Code Section 54953, 54956, and all current state and local requirements allowing public participation in meetings of legislative bodies.

1. **Roll call** – Chair Laverde called the meeting to order at 7:02 p.m.  
Aimee Mueller called roll.  
Commissioners Present: Alpert, Chang, Selawsky (arrived at approximately 7:11 p.m.), Simon-Weisberg, Soto-Vigil (arrived 7:04 p.m.), Tregub, Laverde.  
Commissioners Absent: Mendonca, Poblet.  
Staff Present: Brown, Mueller, Pretto, Wu.
2. **Approval of Agenda** – M/S/C (Alpert/Tregub) MOTION TO APPROVE THE AGENDA WITH THE FOLLOWING CHANGES: MOVE ITEMS 5.a.(1) AND 5.a.(3) TO CONSENT; ADD VICE-CHAIR SIMON-WEISBERG AS A CO-SPONSOR OF ITEM 5.a.(3). Roll call vote. YES: Alpert, Chang, Simon-Weisberg, Soto-Vigil, Tregub, Laverde. NO: None; ABSTAIN: None; ABSENT: Mendonca, Poblet, Selawsky. Carried: 6-0-0-3.
3. **Public Comment** – Lilana Spindler spoke about property tax assessment issues in Berkeley. Matthew Lewis spoke about items 5.a.(2) and 5.a.(4). Councilmember Cheryl Davila spoke about item 5.a.(4).

4. **CONSENT ITEMS**

*Items 5.a.(1) and 5.a.(3) were moved to Consent by a prior vote of the board.*

- a. Approval of the May 29<sup>th</sup> special meeting minutes
- b. Approval of the June 18<sup>th</sup> regular meeting minutes

- c. Letter to Alameda County Board of Supervisors Thanking Them for Enacting a Strong Countywide Moratorium on Evictions (Commissioners Igor Tregub, Chair Laverde, Vice Chair Simon-Weisberg & Commissioner Alpert)

M/S/C (Tregub/Alpert) MOVE ALL CONSENT ITEMS AS WRITTEN, INCLUDING ITEMS 5.a.(1) AND 5.a.(3), AND ADD COMMISSIONER SIMON-WEISBERG AS A CO-SPONSOR OF ITEM 5.a.(3). Roll call vote. YES: Alpert, Chang, Selawsky, Simon-Weisberg, Soto-Vigil, Tregub, Laverde; NO: None; ABSTAIN: None; ABSENT: Mendonca, Poblet. Carried: 7-0-0-2.

## 5. ACTION ITEMS

**Items 5.a.(1) and 5.a.(3) were moved to consent by a prior vote of the board.**

- a. From Board Members, Committees, and Executive Director

- (1) Recommendation to offer support for implementation of the City's Fair Chance Access to Housing Ordinance, BMC Chapter 13.106 (Acting Executive Director) – MOVED TO CONSENT BY A PRIOR VOTE OF THE BOARD.
- (2) Recommendation to approve Resolution 20-14 to adopt policy to establish an amnesty period to allow for the automatic waiver of penalties for owners of properties that did not pay Registration Fees on time (Budget & Personnel Committee and Acting Executive Director)

M/S/C (Tregub/Simon-Weisberg) MOTION TO ADOPT RESOLUTION 20-14 WITH THE FOLLOWING AMENDMENT: ON PAGE 3, SECTION 1, THIRD BULLET POINT, ADD THE WORDS, “INCLUDING NON-PAYMENT OF RENT FOR AN EXISTING TENANCY” AFTER “A MATERIAL DECREASE IN BUSINESS INCOME CAUSE BY A REDUCTION IN OPENING HOURS OR CONSUMER DEMAND.” Roll call vote. YES: Alpert, Chang, Selawsky, Simon-Weisberg, Soto-Vigil, Tregub, Laverde; NO: None; ABSTAIN: None; ABSENT: Mendonca, Poblet. Carried: 7-0-0-2.

- (3) Recommendation that the Board Support Proposition 21 on the November ballot (Commissioner Selawsky, Chair Laverde & Commissioner Tregub) – MOVED TO CONSENT BY A PRIOR VOTE OF THE BOARD.
- (4) Recommendation that the Board support Council's adoption of an urgency ordinance amending Berkeley Municipal Code 13.110, Title 13, "The COVID-19 Emergency Response Ordinance," to enhance emergency tenant protections consistent with recently adopted Alameda County laws, action in other jurisdictions, and consultation with community stakeholders (Chair Laverde & Commissioner Selawsky)

M/S/C (Alpert/Chang) MOTION THAT THE BOARD SUPPORT, IN CONCEPT, COUNCIL'S ADOPTION OF AN URGENCY ORDINANCE AMENDING BMC 13.110 "THE COVID-19 EMERGENCY RESPONSE ORDINANCE" AND URGE THE AUTHORS TO WORK WITH THE

EVICTION DEFENSE CENTER, THE EAST BAY COMMUNITY LAW CENTER, AND RENT BOARD STAFF IN DRAFTING THE FINAL LANGUAGE. Roll call vote. YES: Alpert, Chang, Selawsky, Simon-Weisberg, Soto-Vigil, Tregub, Laverde; NO: None; ABSTAIN: None; ABSENT: Mendonca, Poblet. Carried: 7-0-0-2.

- (5) Discussion and possible action regarding replacement of Commissioner María Poblet – see attached resignation letter to Board and City Clerk (Chair Laverde & Acting Executive Director)

M/S/F (Simon-Weisberg/Alpert) MOTION TO CALL THE QUESTION. Roll call vote. YES: Alpert, Selawsky, Simon-Weisberg, Laverde; NO: Chang, Soto-Vigil; ABSTAIN: Tregub; ABSENT: Mendonca, Poblet. Failed: 4-2-1-2.

M/S/F (Laverde/Tregub) MOTION TO ALLOW THE VOTERS TO FILL THE SEAT THAT WILL BE LEFT VACANT BY COMMISSIONER POBLET’S RESIGNATION. Roll call vote. YES: Alpert, Simon-Weisberg, Tregub, Laverde; NO: Chang, Soto-Vigil; ABSTAIN: Selawsky; ABSENT: Mendonca, Poblet. Failed: 4-2-1-2.

## 6. INFORMATION, ANNOUNCEMENTS AND NEWS ARTICLES

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

### a. Reports from Board Members/Staff

- (1) Update on the annual registration process – *Verbal* (Acting Executive Director) – The Acting Executive Director provided an update on registration fee collection, the number of delinquent accounts, and the number of units claimed vacant or not available for rent.
- (2) May 27, 2020 *Berkeleyside* article by Natalie Orenstein titled, “Berkeley bans all evictions during crisis, giving some tenants a year to pay back rent” (Commissioner Tregub)  
<https://www.berkeleyside.com/2020/05/27/berkeley-bans-all-evictions-during-crisis-giving-some-tenants-a-year-to-pay-back-rent>
- (3) June 22, 2020 *The Daily Californian* article by Jessica Li titled, “Berkeley rent board approves 2020-21 budget, supports Black Lives Matter” (Commissioner Tregub)  
<https://www.dailycal.org/2020/06/22/berkeley-rent-board-approves-2020-21-budget-supports-black-lives-matter/>
- (4) June 28, 2020 *San Francisco Chronicle* article by Carolyn Said titled, “Tenants fear eviction as UC Berkeley plans student housing project” (Commissioner Tregub)  
<https://www.sfchronicle.com/bayarea/article/Tenants-fear-eviction-as-UC->

[Berkeley-plans-15372681.php](#)

- (5) June 30, 2020 *Berkeleyside* article by Frances Dinkelspiel titled, “Renters rally against UC Berkeley’s possible attempt to evict them from rent-controlled building” (Commissioner Tregub)  
<https://www.berkeleyside.com/2020/06/30/renters-rally-against-uc-berkeleys-possible-attempt-to-evict-them-from-rent-controlled-building>
- (6) July 2, 2020 *East Bay Citizen* article by Steven Tavares titled, “Alameda County supervisors backdate and extend countywide eviction moratorium” (Commissioner Tregub)  
<https://ebcitizen.com/2020/07/02/alameda-county-supervisors-backdate-and-extend-countywide-eviction-moratorium/>
- (7) July 6, 2020 *Berkeleyside* article by Frances Dinkelspiel titled, “Emergency COVID-19 tenant protection laws cause confusion in Berkeley” (Commissioner Tregub)  
<https://www.berkeleyside.com/2020/07/06/emergency-covid-19-tenant-protection-laws-cause-confusion-in-berkeley>
- (8) July 6, 2020 *The Oaklandside* article by Natalie Orenstein titled, “Despite the COVID eviction freeze, these Oakland tenants might be legally displaced” (Commissioner Tregub)  
<https://oaklandside.org/2020/07/06/despite-the-covid-eviction-freeze-these-oakland-tenants-might-be-legally-displaced/>
- (9) July 9, 2020 *The Daily Californian* article by Maria Young titled, “‘Canary in the coal mine’: Berkeley residents protest for affordable housing” (Commissioner Tregub)  
<https://www.dailycal.org/2020/07/01/canary-in-the-coal-mine-berkeley-residents-protest-for-affordable-housing/>

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

- a. Budget and Personnel – Committee Chair Tregub reported that, in addition to the item voted on by the Board tonight, the Committee continues to work on training issues and will be discussing the search process for a permanent executive director, amongst other things.
  - (1) July 9<sup>th</sup> agenda
- b. Eviction/Section 8/Foreclosure – Commissioner Selawsky reported that the Committee had not met in a while and will need a third member given Commissioner Poblet’s resignation.
- c. Habitable & Sustainable Housing (HASH) – Committee Chair Chang said the Committee will meet in early August.

- d. IRA, AGA and Registration – Committee Chair Simon-Weisberg said the Committee expects to meet in September.
- e. Outreach – Committee Chair Chang reported that the Committee continues to discuss the tenant survey, and staff completed their first webinar.

(1) July 8<sup>th</sup> agenda

- f. 4 x 4 Joint Committee on Housing: City Council/Rent Board – Chair Laverde reported that the next meeting will likely be in September.
- g. Ad Hoc Committee on Technology Issues
- h. Updates and Announcements regarding future Special Meetings
- i. Discussion of items for possible placement on future agenda – The Acting Executive Director intends to bring an item regarding the Requests for Proposal responses for the new database to the next meeting.

8. **ADJOURNMENT** M/S/C (Tregub/Simon-Weisberg) MOTION TO ADJOURN THE MEETING IN HONOR AND MEMORY OF MARGY WILKINSON, MARY ANN BREWIN, AND ALL THOSE WHO HAVE LOST THEIR LIVES TO COVID-19 AND AT THE HANDS OF LAW ENFORCEMENT, INCLUDING ERIC GARNER WHO WAS KILLED SEVEN YEARS AGO ON JULY 17, 2014; AND IN APPRECIATION OF ALL FRONT-LINE WORKERS. Roll call vote. YES: Alpert, Chang, Selawsky, Simon-Weisberg, Soto-Vigil, Tregub, Laverde; NO: None; Abstain: None; ABSENT: Mendonca, Poblet. Carried: 7-0-0-2.

The meeting adjourned at 9:23 p.m.