

BERKELEY RENT BOARD

BERKELEY
Rent Control 101
for
Tenants and Landlords
Moni T. Law, Housing Counselor

AGENDA

REGISTRATION

RENT STABILIZATION

SECURITY DEPOSITS & INTEREST

LEASE GUIDELINES

LANDLORD ENTRY

GOOD CAUSE FOR EVICTION

CONFLICT RESOLUTION

510-981-7368 (RENT)
rent@cityofberkeley.info

RENT CONTROL: FULLY COVERED UNITS

	MULTI-UNIT PROPERTIES BUILT BEFORE JUNE 1980	ROOMING HOUSES	SINGLE FAMILY HOMES WITH TENANTS WHO MOVED IN BEFORE 1996
Registration?	Yes	Yes	Yes
Rent Stabilization?	Yes	Yes	Yes
Eviction Protections?	Yes	Yes	Yes
Security Deposit Interest?	Yes	Yes	Yes

RENT CONTROL: PARTIALLY EXEMPT UNITS

	SINGLE FAMILY HOMES RE-RENTED AFTER 1/1/96	MOST CONDOMINIUMS	NEW CONSTRUCTION (Regulation 510)
Registration?	No (but Meas MM)	No (but Meas MM)	No (but Meas MM)
Rent Stabilization?	No	No	No
Eviction Protections?	Yes	Yes	Yes
Security Deposit Interest?	Yes	Yes	Yes

RENT CONTROL: FULLY EXEMPT UNITS

	TENANT SHARES KITCHEN OR BATH WITH PROPERTY OWNER	"GOLDEN DUPLEX"	TENANCIES STARTED AFTER 11/7/18 WHERE ONE UNIT IS AN ADU & EITHER UNIT IS OWNER-OCCUPIED
Registration?	No	No	No
Rent Stabilization?	No	No	No
Eviction Protections?	No	No	No
Security Deposit Interest?	No	No	No

REGISTRATION OF RENTAL UNITS

- ▶ All rent-controlled units must be registered with the Rent Board - annual registration fee due July 1
- ▶ All tenancies must be registered to ensure accurate rent ceilings
- ▶ Formerly exempt units must be registered within 60 days
- ▶ Rent ceilings published at www.cityofberkeley.info/myrentceiling

RENT STABILIZATION

- ▶ Landlord can set the starting rent
- ▶ Rents can only be increased to the rent ceiling as long as one original occupant lives in the unit
- ▶ Rent ceilings published at www.cityofberkeley.info/myrentceiling

WHO IS AN ORIGINAL OCCUPANT?

**A tenant who has been in the unit since before
Jan. 1, 1996**

**A tenant who was residing in the unit when the
landlord last established an initial rent**

**A tenant who moved in within first 30 days of
new tenancy**

LAWFUL RENT INCREASES

- **30-Day Notice: Rent increase of 10% or less**
- **90-Day Notice: Rent increase over 10%**



STABLE RENT & STABLE SERVICES

Space and services should remain same

Unit must remain habitable

If reduction in space/services/habitability,
tenant can seek rent reduction

Tenant recourse: rent reduction petition

HOUSING STANDARDS

Effective weatherproofing/waterproofing

Adequate heat

Hot/cold running water

Working plumbing/gas

Working electricity

No trash, rodents or vermin

Adequate trash receptacles

RENT INCREASES THROUGH PETITION PROCESS

Capital Improvement
Petition

Increase in Space or
Services

Petition to Determine
Occupancy Status

Petition to Determine
Initial Rent

Historically Low Rent

Increase in Occupants
Allowed

SECURITY DEPOSIT INTEREST

Interest must be paid annually and upon move-out

Interest calculated on federal fiscal year at Berkeley Bank Rate (0.2%)

Annual interest due in December

Move-out interest paid at monthly "move-out" rate

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INTEREST: TENANT RECOURSE

If interest is not paid to the tenant by Jan. 31, the tenant has the right to deduct interest at a rate of 10% from a future rent payment.

EVICTIONS: IMPORTANT CONSIDERATIONS

- ▶ Eviction is about possession of the unit, not about removing a particular tenant
- ▶ If full rent isn't paid, landlord can evict the entire household
- ▶ If subtenant doesn't pay rent, full rent still owed - master tenant may need to evict

GOOD CAUSES FOR EVICTION

AT FAULT	NO FAULT
Nonpayment of Rent	Owner/Relative Move-In
Violation of Valid, Material Lease Term	Re-Occupancy of the Unit by the Original Tenant as Specified in Rental Agreement
Causing Substantial Damage Beyond Normal Wear & Tear	Ellis Act Eviction
Illegal Activity on the Premises	Relocation for necessary repairs (triggers Relocation Ordinance)
Disorderly/Nuisance Behavior	Demolition of the Unit
Repeated refusal to provide access to make required repairs	

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NOT A GOOD CAUSE

Foreclosure

Sale of
property

Expiration
of lease

LEASING BASICS

Screen tenants thoroughly

Develop a written agreement

Exert right to prohibit

Check validity of lease clauses

Be careful when including late fees

Provide copy of signed lease to tenant

Consider fixed-term lease v. month-to-month rental agreement

Fixed-term lease: consider AGA

Include required addenda, including
Tenant Protection Ordinance

LANDLORD ENTRY

- ▶ In case of emergency
- ▶ To make or assess need for necessary repairs
- ▶ To show the unit to prospective renters or buyers
- ▶ When tenant allows entry

WRITTEN NOTICE TO ENTER

- ▶ 24 hour written notice
- ▶ Entry during normal business hours
- ▶ Specify date, time, purpose of entry
- ▶ If landlord enters for emergency, leave notice of entry

SECURITY DEPOSIT

Maximum is two
months' rent
(unfurnished unit)

All money collected
beyond first
month's rent is
considered deposit

Full deposit must be
refundable

- CA Civil Code 1950.5

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SECURITY DEPOSIT USE

Unpaid rent

Damage caused by tenant

Necessary cleaning

- CA Civil Code 1950.5

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SECURITY DEPOSIT RETURN

Return deposit within 21 days of tenant move-out

If landlord withholds more than \$125, must provide itemized list of deductions and invoices/receipts

TENANT NOTICES TO QUIT

Fixed-term lease: Landlord
can designate notice period
(minimum 30 days)

Month-to-month: Tenant can give
30 days' written notice on any day
of the month
(CA Civil Code 1946)

RESOLVING CONFLICT

- ▶ Maintain a business perspective
- ▶ Create and refer to written agreements
- ▶ Research before reacting
- ▶ Avoid hostile communication
- ▶ Consider compromise
- ▶ Suggest mediation
- ▶ Consult an attorney

ONLINE REGISTRATION IS NOW AVAILABLE

SET UP AN ACCOUNT TODAY



RENT STABILIZATION BOARD

Request Online Account

Please provide the following information in order to receive a temporary password that will allow you to create an online account. *NOTE: You will not be able to create an online account unless the Rent Board already has a valid email address on record. If you are not sure if the Rent Board already has your email address, please call 415-267-1000.

*Name: Please provide a name that you can easily remember. For example, you may wish to use your email address as a last name.

*Billing Code: You can find your billing code on your current Rent Board filing statement, in the upper right hand corner. You do not have your billing statement, then please contact us by calling 415-267-1000 (2627) or by texting 415-267-1000.

*Email Address: Please provide the email address that you have provided to the Rent Board. This email address will be used to send you a temporary password. If you do not have your email address on file, please contact us by calling 415-267-1000 (2627) or by texting 415-267-1000.

*Phone Number: Please provide a telephone number where you can be reached.

*Property Address: Please provide the Property Address exactly as it appears on your filing statement. If you own more than one property, please provide the address of one property, exactly as it appears on the filing statement.

I need a code

Have an email on file with the Rent Board? \

REGISTER TENANCIES



From your kitchen table!

File vacancy registration forms or change unit status online from anywhere!

PAY REGISTRATION FEES



From the beach!

You can pay for one property at a time or multiple properties all at once!

Visit our website to find a link to Online Registration:

www.cityofberkeley.info/rent

VISIT OUR WEBSITE

cityofberkeley.info/rent

- ❑ Tenant Information
- ❑ Laws & Regulations
- ❑ Workshops & Seminars
- ❑ Mediation & Petition Forms
- ❑ Rent Board Commission Meetings

RENT STABILIZATION BOARD
2125 Milvia Street, Berkeley, CA 94704
TEL: (510) 981-7368, TDD: (510) 981-6903, FAX: (510) 981-4910
Office Hours: M,Tu,Th,F 9 a.m. to 4:45 p.m., Wed 12 p.m. to 6:30 p.m., Email: rent@cityofberkeley.info

WHAT IS RENT CONTROL?
... and How Does it Affect Me?

HOW CAN WE HELP YOU?

Register Online

Upcoming Meetings & Events

January 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

• January 14 @ 6pm
[Landlord 101 Workshop](#)

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JOIN OUR EMAIL LISTS

- Annual General Adjustment
- Billing & Registration
- Newsletters & Announcements
- Rent Board Agendas
- Rent Board Committee Agendas
- Workshops and Seminars for Property Owners
- Workshops and Seminars for Tenants



Join Our
Email Lists!

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COMPLETE AN EVALUATION



BERKELEY RENT BOARD

Berkeley Rent Board Events Evaluation

Please fill out this evaluation and return to us. Thank you!

Event Title: _____

Event Presenter: _____

Please rate the quality of the presentation.

1 2 3 4 5

Disappointing

Exceptional

COMMENTS:

Please rate the length of the presentation.

1 2 3 4 5

Disappointing

Exceptional

COMMENTS:

Did you learn what you expected from this event?

1 2 3 4 5

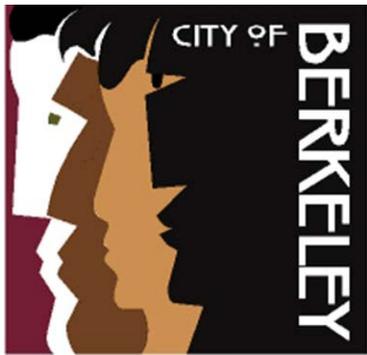
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COMMENTS:

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QUESTIONS? CONTACT US!



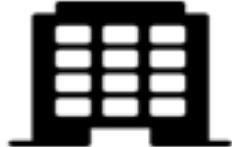
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