



Rent Stabilization Board
Office of the Executive Director

RENT STABILIZATION BOARD

DATE: February 18, 2021

TO: Honorable Members of the Rent Stabilization Board

FROM: Matt Brown, Acting Executive Director 

BY: Allison Pretto, Senior Management Analyst

RE: Penalty Billing Summary as of February 9, 2021

Summary

As of February 9, 2021, the Registration Unit's accounts receivable indicated that a total of 154 property accounts have outstanding fee and/or penalty balances and therefore remain out of compliance with the Rent Ordinance's registration requirements. These 154 properties comprise 636 units.

Background

Under BMC 13.76.080, Berkeley property owners are required to pay registration fees for units subject to the registration requirement by July 1 of each year. Late payment results in the assessment of a 100% penalty on any outstanding fee; the penalty is assessed every six months that the fee remains unpaid.

FY 2020/2021

For the current fiscal year, registration fees were due Wednesday, July 1, 2020, and January 1, 2021, penalties were assessed on accounts with outstanding registration fees. Board staff sent a penalty billing in July of 2020, and many accounts were resolved through the Board's amnesty program established by Resolution 20-14 which allowed staff to waive penalties when landlords had COVID-19 related financial distress. Nevertheless, some accounts remained delinquent. On January 21, 2021, Registration staff sent penalty billing statements to the owners of 180 properties with outstanding registration fees and/or penalties on their properties' accounts.

As of February 9, 26 accounts had been resolved. Owners of all but 154 properties had registered their properties comprising 636 rent-controlled units. Of these 154 properties with outstanding balances, 110 represented properties with outstanding 2020/2021 registration fees (497 units).

The remaining 44 property accounts have only penalty and/or prior years' registration fee balances (139 units). Of these, 11 are pending resolution, as the owners have filed a Request for Waiver of Late Registration Penalties.

The following table summarizes the current outstanding accounts receivable amounts:

2020/21 Fees	\$92,700
Prior Year Fees	\$26,000
Penalties	\$663,600
TOTAL	\$782,300

Attachment



Rent Stabilization Board

January 22, 2021

Dear Rental Property Owner:

Our records indicate that you owe outstanding fees and/or penalties for residential units covered by the Berkeley Rent Ordinance. The 2020/2021 registration fee of \$250 for each of these units was due by July 1, 2020. Any fees or penalties incurred prior to the 2020/2021 registration period also appear on this billing statement. Registration fees for all units rented and registered after July 1 for the 2020/2021 fiscal year are pro-rated at \$21/month.

The Berkeley Rent Stabilization Ordinance requires that payments not made or postmarked by July 1 are subject to a 100% penalty. An additional 100% penalty is assessed every six months the fee remains unpaid. Penalties were assessed on all fees which were due and unpaid on July 2, 2020, and on January 1, 2021.

All outstanding fees and penalties included on this statement must be paid, cleared, or waived in order for the property to be in compliance with the registration requirements of the Ordinance.

It is illegal to increase rents or to evict tenants from unregistered properties.

If you believe there was good cause for not paying the fees on time, you may submit a Request for Waiver of Late Registration Penalties. This form can be obtained from our website, or sent to you via email or U.S. mail upon request. **Please be advised that all outstanding current and previous years' fees must be paid in full before a waiver of the penalties can be considered.**

No payment is necessary for units which are exempt from the registration requirements as outlined in the Rent Stabilization Ordinance (B.M.C. Section 13.76.050). If you wish to claim an exemption at this time, please complete the enclosed Unit Status Form by crossing out the information you believe is incorrect and printing the correct information. If you are claiming a unit exempt under the Section 8 Housing Choice Voucher program, you must provide a copy of the Section 8 contract or any other form of proof.

A pre-addressed envelope is provided for your convenience. If you have already paid this bill, or believe that this statement is incorrect, please contact our Registration Unit at:

(510) 981-7368 Ext. 2, or at rent@cityofberkeley.info. Please note that our office remains closed due to the ongoing Shelter in Place order. You may reach Registration Unit staff by telephone during our regular office hours: Monday, Tuesday, Thursday, and Friday, 9:00 a.m. to 4:45 p.m.; and Wednesday, noon to 5 p.m.

Sincerely,

Allison Pretto
Senior Management Analyst