



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 *MB*

BY: Allison Pretto, Senior Management Analyst

RE: Registration of Rental Units Subject to Measure MM

Summary

The Berkeley Rent Board has begun its initial effort to register rental units partially covered by the Berkeley Rent Ordinance, as required by Measure MM. The agency is now in the course of appraising the owners of approximately 1,675 properties of the new registration requirement, as well as collecting tenancy and exemption information. These properties comprise approximately 5,000 residential units.

Background

On November 3, 2020, the Berkeley voters passed Measure MM, which amended the Berkeley Rent Ordinance to require property owners to register residential units that are partially covered by the Ordinance. The units subject to the new registration requirement are:

- Rented single-family homes;
- Rented condominiums;
- Rental units that received a certificate of occupancy issued after June 30, 1980.

Using available county and city records, Rent Board staff identified the properties and residential units that could potentially be subject to the new requirement. An initial assessment revealed that approximately 7,000 residential properties units could potentially be subject to the new registration requirement.

As the registration of this number of properties presented a staff capacity problem, Rent Board staff decided to approach the registration effort in two waves:

- 1) Require affirmative registration or claim of exemption of the 1,675 residential properties in multifamily buildings with certificates of occupancy issued after June 30, 1980, and in single-family homes and condominiums that have certified that the units are rented as required by the Rental Housing Safety Program (RHSP). Owners of these properties will be required to use the Rent Board's online registry to register their properties' tenancies and/or claim units exempt. These owners will be billed for registration fees in the future if units on their properties are not claimed exempt. This mailing is scheduled for February 12, 2021.
- 2) Send an informational mailing to the owners of the remaining 4,300 properties (primarily single-family homes) that have not filed with the RHSP, and which are less likely to be used as rental units. Owners of these properties will be apprised of Measure MM's requirements and directed to register their units with the Rent Board if rented. This mailing is slated to go out to property owners by mid-March 2021.

As stated earlier, the agency has sent out a mailing to the owners of the first group identified above. These owners have received a letter that informs them of the measure's passage and of the new requirements. These owners must either 1) register all units on the property identified in the letter using the Rent Board's new online registration registry; or 2) claim any units exempt as allowed under the Berkeley Rent Ordinance.

The mailing also included a fact sheet describing Measure MM and the registration requirements and a user guide to register the units online. While owners are strongly encouraged to use the online registry, they also can contact Rent Board staff for assistance with registering their properties offline. Owners have been informed that they must register their properties or claim them exempt by March 15, 2021.

Conclusion

We have attached all materials that went out in the February 12 mailing and all links to our informational materials regarding Measure MM on our website. Staff will keep the Board apprised of our efforts to register these units in the coming months.

Attachments



BERKELEY RENT BOARD

Distributed at the meeting
Item 8.a.(2)

Measure MM Overview

Michele Byrnes, Manager,
Public Information Unit

Allison Pretto, Manager, Registration Unit
Berkeley Rent Board Meeting

February 18, 2021

AGENDA

- Basic Provisions of Measure MM
- Rent Board Services
- Measure MM Registration Timeline
- Outreach & Public Education

BASIC PROVISIONS OF MEASURE MM (B.M.C. 13.76.050)

- Required registration for new units
 - rented single family homes
 - rented condominiums
 - rental units that received certificate of occupancy after June 30, 1980
- Eviction Moratorium during proclaimed emergency
- ADU Clarification

RENT BOARD SERVICES FOR MM UNITS

- Enhanced counseling services
 - COVID-19 emergency response laws
 - State anti-gouging protections, Berkeley Tenant Protection Ordinance, Relocation Ordinance, Fair Chance Ordinance
- Mediation for Measure MM tenants and landlords

REGISTRATION TIMELINE

- First Measure MM registration mailing sent to owners of 1,675 properties (242 multi-unit new construction properties, 285 condos, and 1,148 single family homes), totaling approximately 5,000 units
- First registration deadline is March 15, 2021
- Second mailing will be sent to 4,300 single family home and condo owners in mid-March
- Landlords register MM units by July 1

OUTREACH & PUBLIC INFORMATION

- MM fact sheets and web pages
- Updated online registration portal
- Mailing to landlords sent February 15
- Measure MM webinar on April 14



BERKELEY RENT BOARD

QUESTIONS & NEXT STEPS