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SUPPLEMENTAL
AGENDA MATERIAL
for Supplemental Packet 2

Meeting Date: **July 7, 2026**

Item Number: **A**

Item Description: **A. Placing an Ordinance Amending the Rent Stabilization Ordinance on the November 3, 2026 Ballot**

Submitted by: **Councilmember Humbert;**
Councilmember Kesarwani

Revise the proposed Ordinance Amending the Rent Stabilization Ordinance to achieve the following:

- Eliminate changes to the treatment of rental units in “golden duplexes”
- Clarify changes to exemption status to ensure that non-replacement units in SB 330 projects would remain exempt
- Automatically exempt 501(c)(3) non-profits from Rent Stabilization Board fees
- Revise ballot question to reflect the changes above

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ACTION CALENDAR
July 7th, 2026

To: Members of the Berkeley City Council

From: Councilmember Mark Humbert (Author);
Councilmember Rashi Kesarwani (Co-Author)

Subject: Item A. Placing an Ordinance Amending the Rent Stabilization Ordinance on the November 3, 2026 Ballot

SUMMARY

Revise the proposed Ordinance Amending the Rent Stabilization Ordinance to achieve the following:

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RECOMMENDATION

Eliminate all proposed changes to Section 13.76.050 Applicability Subsection C.9. Golden Duplex Exemption.

The existing language in the Berkeley Municipal Code would be retained, as reproduced below:

> 9. Golden Duplex Exemption. Rental units in a residential property which is divided into two units where one of the units was owner-occupied on December 31, 1979, and is currently occupied by the landlord as their principal residence.
>
> Rental units which become non-exempt under this provision shall have the provisions of Subsections 13.76.080J and 13.76.100C. applied to them.
>
> For the purposes of this subsection, the term landlord shall be defined only as the owner of record holding at least 50% interest in the property.

Append the following sentence to 13.76.050 Applicability. B. 1. (b). ii.

> New units within a Senate Bill 330 housing development project that are not designated replacement units for demolished rent stabilized units (as defined in

Section 23.326.030 Demolition of Residential Units. D. Conditions of Approval.) shall be exempt.

Apply the following revisions to the proposed subsection O. of Section13.76.080 Rent registration.

O. Notwithstanding any other provision of this Chapter, ~~the Board shall have the authority to adopt regulations to waive or reduce fees owing under this Section~~ no fees shall be charged under this Section for a for a residential property owned, leased or controlled by an organization exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code that contains rental units that are subject to a regulatory agreement with a governmental agency that controls the units' rent levels.

Revise the ballot question in the following manner:

Shall the measure to make most rent control and registration exemptions inapplicable to units that were not exempt when the current tenancy began; ~~condition the exemption for certain owner-occupied duplexes on the owner providing notice to new tenants; allow modification or waiver of fees for~~ exempt subsidized units owned or leased by nonprofits from Rent Stabilization Board fees; change the annual registration deadline; limit annual rent increases to ten percent; and allow tenant associations in smaller properties, be adopted?

FINANCIAL IMPLICATIONS

None (relative to original item).

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

None (relative to original item).

CONTACT PERSON

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