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## ***Proposition 21: The Repeal of the Costa Hawkins Act***

*Mark Tarses, President, BPOA*

There are few people in Berkeley who can remember what the rental housing market was like in Berkeley before the passage of the Costa-Hawkins Act in 1995, but I do. At that time, I was the vice president of the BPOA. Today, new apartment houses are going up all over Berkeley, unlike before Costa-Hawkins, when there was virtually no apartment construction. Even worse, the number of rental units and the city's population was declining year by year. In the five years prior to the passage of Costa-Hawkins, there were a total of nine apartments built in Berkeley. Now mind you — that isn't nine apartment houses or nine apartments per year. That is nine apartments built in total over the entire five-year period.

During that same five-year period, hundreds of existing rental units vanished. Because rents could not be raised between tenants, when tenants moved out of very low rent apartments, owners simply removed those units from the rental market. I knew landlords who were using apartments as home offices, guest rooms for visits by friends and relatives, or simply for storage. I asked one landlord I knew why he was using an apartment as his storage room. He said that he had been paying a self-storage company \$200 a month to store his stuff there, which was more than he could rent this apartment for, so when the last tenant moved out, he simply converted the apartment into his storage locker. I had a relative in Berkeley at that time who was using an apartment she owned as an artist studio for her son-in-law. Hundreds and hundreds of apartments in Berkeley vanished before Costa Hawkins.

However, once Costa Hawkins became the law, and owners could rent vacant apartments at the market rate, these apartments came back onto the rental market. If Proposition 21 passes, we will see the same thing happen again. New construction will come to a screeching stop, and thousands of existing apartments will vanish — not all at once, but gradually as tenants move out of low rent units. Why do you think the state legislature passed Costa Hawkins in the first place?

### **MEMBERS ZOOM MEETING**

#### ***All of Our Member Meetings Have Been Moved Online!***

Check the event calendar at [www.bpoa.org](http://www.bpoa.org)  
for information & registration

THURSDAY, OCTOBER 22ND

2PM MEETING

ESTATE PLANNING BASICS  
FOR PROPERTY OWNERS

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BPOA Monthly is a regular publication of the Berkeley Property Owners Association, a trade association dedicated to assisting rental housing providers with upkeep and management of residential rental property and coping with Berkeley's rent law.

## 2020

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### About the Newsletter

Our articles are contributed on a volunteer basis by members and other interested parties, although we do accept paid advertising. We are always happy to include material submitted by members and welcome suggestions on how to improve our publication.

All articles in this publication represent the author's viewpoint and not necessarily the position of our organization.

Direct comments and material to our Bancroft Way office or to [bpoa@bpoa.org](mailto:bpoa@bpoa.org)

# Editorial

## What a Choice

*Albert Sukoff, Editor*

In the current election for President of the United States, unless you are resident in one of a half-dozen contested states, your vote is an admirable exercise in democracy but will not make a difference. That is just one of the flaws inherent in our arcane system for electing a President. The electoral college was meant to somewhat equalize small and large states. It does just that. Each state has electoral college votes equal to the size of its congressional delegation, i.e. the number of congressional seats plus two for each state's two senators. As a result, every 723,000 citizens in California get a vote in the electoral college whereas in Wyoming, it's 191,000. In selecting a president, each citizen of Wyoming has 3.8 times more representation than someone in California. It should not be so but so be it.

As all the electoral votes of the state go to the winner of that state, in many states there is no contest. There is absolutely no doubt that California will vote for Biden over Trump.

It is the height of hubris to think your vote will ever be definitive. Any election can be close but elections with more than a couple thousand votes are virtually never decided by a single vote. To conclude therefore that voting is meaningless has a logic ... but you gotta do it anyway. Your particular say is small but it matters. Who wins matters. If you do not vote, you lose your right to bitch.

To my mind, Donald Trump is as qualified to be President of the United States as Danny DeVito is qualified to play center for the LA Lakers. The difference is that Danny DeVito — 4'10" tall, 40 pounds overweight, and 75 years old — would likely not grasp a chance to play for the Lakers. As an NBA center is likely to be well-conditioned, two feet taller and fifty years younger, it is self-evident that DeVito would be in over his head, literally WAY over his head. It is a highly unlikely hypothetical but given the opportunity, one would assume that Mr. DeVito would have the common sense to pass on an opportunity to make a complete ass of himself in front of the whole world.

When Trump was elected, I actually hoped that he would grow into the job. Instead, the attention and the power only exaggerated every one of his negative characteristics. Enumerating Donald Trump's inadequacies is too easy and, at this point, unnecessary. If you are not aware of them, maybe you should not vote. If you are, further articulation here is unnecessary. Any thinking person cannot support Donald Trump for a second disastrous term. So, it's Biden all the way, right?

Not so easy for me. I am a registered libertarian. The simplest definition of that is that, to the degree possible, the government should stay out of my bedroom and out of my wallet. Although sometimes there is no other option, in general the world is too complicated for government rule. The state is too big, too slow, too amorphous, too ignorant and too corrupt to meet individual needs. Pandemics notwithstanding, the less government tries to do so, the better. In blue-state California and in the very blue Bay Area, I hold a minority view. Even among a group under the thumb of an out-of-control rent board, I don't see lot of support for a libertarian point of view.

*continued on page 8*

# ❖ THE COALITION CORNER ❖

By Krista Gulbransen, Executive Director

**The Berkeley Rental Housing Coalition (BRHC)  
is the political and legal voice of Berkeley's rental housing providers.**

## **Every Checkbox Counts! Election Suggestions & More**

Every election season, we are asked, "Who and what should I vote for in Berkeley?" Since we spend most of our time with one (sometimes two!) ears to the ground, we have got the insight you need.

We have always advocated for fairness, efficiency, and objectivity in Berkeley's rental housing policies. We are tired of the incredible imbalance of power and representation on the Rent Board and the City Council. This is especially problematic in the Rent Board where there is continued unwillingness to find a better balance between the needs of renters and the needs of owners. Our election recommendations are for candidates and issues that understand that the need to house our community is the responsibility of all, not just responsibility of the few.

We head into November 3, 2020 with a very unusual situation. Berkeley elections can be won or lost on just a handful of votes.

Most candidates can be found spending their weekends going door-to-door to connect with the voter. But this campaign season we knew things would be different. It started out like every other election year — we aggressively sought out those who were willing to run for the Rent Stabilization Board. But for the first time in a while, it did not turn out like every other election year. This time we are proud to announce that there are six property owner related candidates running to fill five open Rent Board seats.

They make up the bulk of our election suggestions, but we would be remiss not to mention some important Council-member races as well as explain a few ballot measures to you. So, let's dive in!

## **Ballot Measures**

### **State: Proposition 21 – The "Rental Affordability Act" – Recommendation to vote NO**

This is a repeat of Prop 10 from 2018. It is an attempt to take away the rights of rental property owners under the Costa Hawkins Rental Act of 1995. It takes away your

right to raise the rent to market once a tenant vacates the property. In Berkeley, many tenants will stay in their rent-controlled unit for years on end and when they finally vacate, that is the only time the owner can recoup some of their operational costs. It goes without saying that a return to the days prior to the relief Costa Hawkins provided would be extraordinary detrimental to both owners and renters. Prop 21 is a flawed initiative that is guaranteed to make the housing challenge worse. Tell everyone you know to learn more at [www.NoOnProp21.org](http://www.NoOnProp21.org).

### **State: Proposition 15 – The "Tax on Commercial & Industrial Properties for Education & Local Government Funding" – Recommendation to vote NO**

This is a revamp of the property tax law Prop 13. Known as the "split roll" tax, it will assess commercial properties at a current assessed value rather than the value assessed

at time of purchase. While we know this does not impact many of our members, this has already been recognized as an initial foray into modifying Prop 13 on the residential side. Considering how devas-

tating the protections given to elderly homeowners under Prop 13 could be, we are recommending a no vote on this measure. Tell everyone you know to learn more at [www.NoOnProp15.org](http://www.NoOnProp15.org).

### **Local: Measure MM – Changes to the Rent Stabilization Ordinance – Recommendation to vote NO**

Every election the Rent Board makes recommendations for ways in which they believe the Rent Stabilization Ordinance should be modified. This election is no different. Measure MM will do three things:

1. Solidifies the prohibition of eviction due to nonpayment of rent in *any* local state of emergency (much like we have for COVID-19). This means if there is a local state of emergency declared for fires far away, then your tenant cannot be evicted for nonpayment of rent.
2. Requires owners of partially exempt units (single family homes, some ADUs, and new construction built in the last 15 years) to pay the Rent Board a registration fee and to register their tenancies with

*continued on page 9*

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[www.homeowners4rentboard.com](http://www.homeowners4rentboard.com)

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# Portland City Council Tightens Landlord Duties to Pay Tenants' Relocation Costs

Tim Gruver, *The Center Square*, September 17, 2020

Portland landlords will be footing the bill for their tenants moving expenses through next spring if they raise rent by any amount, the city council decided. The new ordinance is effective immediately and will remain in effect through at least March 31.

Portland landlords have had to pay for their tenants' moving costs since 2017 if they raised rent by more than 10 percent in one year. Those costs can amount to as much as \$4,500, depending on the size of the renter's home.

Portland Tenants United, which has made months-long calls for a rent freeze, was pleased with the city council's actions, according to PTU spokesperson Lauren Everett.

"Emergency price controls are a common governmental response to protect and stabilize the people, and this initiative follows in that vein," Everett said.

Portland Tenants United is advocating for a moratorium on evictions through the duration of the COVID-19 and wildfire emergencies.

Everett said the organization is also calling for forgiveness of rent debt for impacted households and a federal landlord assistance program for qualified property owners, especially small landlords, covering their mortgage payments and other business expenses.

The city council came to the decision unanimously in a rare moment of solidarity following months of conflict between council members and Mayor Ted Wheeler over such issues as policing citywide protests this summer.

Wheeler voiced concern that the city could see a large wave of evictions if Gov. Kate Brown's statewide moratorium on residential evictions is allowed to expire by the end of the month. He said that between May and Septem-

ber, back rent in Portland could amount to as much as \$125 million.

This possibility also comes as the state faces a current unemployment rate of 7.7 percent, the Oregon Employment Department reported.

"All we're doing is putting off the date by which a lot of people are going to be evicted from their houses," Wheeler said. "This a Band-Aid."

During Wednesday's council meeting, Wheeler said he understood the financial strain the city's landlords are under in light of the nationwide recession brought on by the COVID-19 epidemic.

He stressed that the city is limited in what financial relief it can provide and called on the federal government to safeguard Portland from "a complete upending" of the real estate market.

Wheeler's original proposal extended relocation costs for rent increases through Dec. 31 when the city's moratorium on evictions is set to expire.

Portland City Commissioner Chloe Eudaly, a long-time tenants' rights advocate, successfully pushed for a 90-day extension of the proposal's provisions.

The Rental Housing Alliance of Oregon had remained neutral on Wheeler's original proposal, according to RHAO President Ken Shriver.

Shriver described Eudaly's amendment as "another blow to small landlords" if the city's eviction moratorium is extended past Dec. 31. He said he believes it will.

"So once again, the city has passed a retroactive ordinance that significantly interferes with the landlord-tenant contracts that were entered into in good faith," Shriver added.

In an Aug. 31 letter to Oregon State House Speaker Tina Kotek, D-Portland, RHAO outlined a list of demands, including the reinstatement of no-cause evictions and guidance from lawmakers on how to pursue payments upon the moratorium's end.

Eudaly said the ordinance passed by the council on Wednesday did not go far enough for tenants, but nonetheless thanked the council for its decision.

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*Louis Hansen, Bay Area News Group, September 24, 2020*

## **Housing Costs, State Control Remain Concerns**

Although the Covid-19 pandemic sidetracked state leaders from attacking the housing shortage, a new poll shows that Bay Area voters are still concerned the crisis is getting deeper.

The poll for FSB Public Affairs found a majority of Bay Area voters surveyed believe the crisis is most severe in this region: 95 percent agreed the state is facing a serious housing crunch. A majority also believe local officials should have the right to control new development in their cities.

“Voters want to retain local control,” said Frank Rizzo, president of Sacramento-based FSB Public Affairs, a consultant group that works with developers and other businesses. “That’s where there’s a real disconnect.”

The results mirror a January survey of Bay Area voters done by the Silicon Valley Leadership Group and this news organization. Nearly 9 in 10 voters said homelessness and the cost of housing were extremely or very serious problems. Three-quarters of those questioned said the quality of life in the Bay Area had gotten worse during the last five years.

Together, the polls highlight a growing concern with escalating home prices and rents, along with the growing population sheltered in makeshift encampments, RVs and cars.

The poll found 8 in 10 people surveyed believe affordability is the biggest housing issue in the Bay Area, and more than 7 in 10 felt the problem was getting worse. More than half believe the pandemic will decrease demand for housing in cities and near job centers.

About half said the region was building too little housing. The most cited reasons for the shortage of new housing in their community were the high cost of buying land and construction (50 percent), followed by neighborhood opposition (19 percent) and local fees and bureaucracy (18 percent).

Voters also showed strong support for Yes In My Back Yard (YIMBY) goals: two-thirds said more affordable housing for teachers and seniors would benefit the Bay Area, and a similar percentage favored high rise apartments near transit stations.

But the majority also preferred their city councils to manage housing development. Nearly two-thirds of people

said they would oppose a state candidate fighting for more housing in their community if they ignored the concerns of local residents and environmentalists.

“Voters in the Bay Area do not want to see Sacramento dictate housing policy,” Rizzo said.

Housing advocates argue that development decisions made by local city councils have stymied residential development in California for generations, creating suburban sprawl, traffic woes, and a dearth of new homes and apartments near booming job centers in Silicon Valley and Southern California.

The poll also showed strong support for several housing bills that failed to pass during this legislative session, including requirements for developers to build a certain percentage of affordable units in new projects, allowing residential development on commercial sites, and making it easier to build in-law units.

The survey of 800 voters from nine Bay Area counties by Core Decision Analytics for FSB Public Affairs was taken in late August. The survey results have a margin of error of 3.5 percentage points.

California YIMBY spokesman Matt Lewis said the results are similar to other recent polls showing a growing support for pro-housing measures, such as making it easier to build an accessory dwelling unit.

But residents have strong feelings about keeping development decisions local, even if that means fewer homes are built. “We haven’t bridged that gap,” he said.

Gov. Gavin Newsom announced in February a renewed focus on housing policy, but the coronavirus pandemic shifted state focus and resources away from housing measures. Lawmakers cobbled together a package to slow evictions caused by the declining economy, and came up with \$600 million in emergency relief for homeless residents under Project Homekey.

But several housing bills failed, including measures making it easier to split lots and develop new homes, and loosen development rules in single-family home communities.

Newsom told reporters in early September he was open to a special session but it should be based “upon a specific agenda, a specific criteria, and necessity.”

# Tenant Groups Warn LA Sups: Cancel Rent, Or Else

Jacob Woocher, KNOCK la. September 17, 2020

## The Cancel Rent Collective is done playing nice.

At a small press conference outside the LA County Hall of Administration kicked off what is likely to be the biggest and most coordinated effort yet to pressure politicians to cancel rent in Los Angeles.

The “Cancel Rent Collective” — made up of organizations including the Alliance of Californians for Community Empowerment (ACCE), Los Angeles Community Center for Law and Action (LACCLA), Chinatown Community for Equitable Development (CCED), the Westside Local of LA Tenants Union (LATU), People’s City Council (PCC), Strategic Actions for a Just Economy (SAJE), and Community Power Collective (CPC) — is choosing to focus for now on the Los Angeles County Board of Supervisors, arguing that these five people have the legal authority to cancel rent for all the millions of tenants in LA County.

Even though some of these groups are nonprofits with previous relationships with these elected officials, the collective insists that they are no longer willing to be nice and polite, and will instead escalate their tactics as necessary to get what their communities need.

Many involved see this oppositional posture as increasingly necessary given the timidity and unwillingness to criticize local politicians of other coalitions advocating for tenant protections during COVID-19.

Groups like PCC and LATU have already been going to the homes of elected officials to demand rent cancellation, but this appears to be the first time a coalition this broad has taken up the issue with such force.

Tactics like these are clearly on the table for the Cancel Rent Collective. Last week, after Supervisor Hilda Solis repeatedly refused to meet with members of the LACCLA who are burdened with rent debt and facing eviction, they showed up to her home in El Monte to hold a meeting on her front lawn. Although LACCLA was not acting with

the entire coalition at that point, expect actions like these happen with increasing frequency soon.

The Cancel Rent Collective also released a statement prior to the press conference, which is reproduced below:

*As we are on the cusp of a historic eviction crisis, our elected officials are failing us. For months it has been clear that hundreds of thousands of families in LA County cannot pay rent and are vulnerable to being thrown on the street during this global pandemic and economic collapse. Even the best policies on offer will leave households with unmanageable rent debt.*

*And yet the five members of the LA Board of Supervisors sit on their hands, offering us nothing but platitudes and half-measures that do not come close to matching the scale of this crisis.*

*The solution is obvious: rent needs to be cancelled. Anything less will result in untold harm to our communities and an explosion of unhoused families. This is quite literally a matter of life and death, and Black and Latinx people will be disproportionately impacted. But this racialized crisis can be avoided if our elected officials are willing to put people over profits, and act boldly.*

*This moment demands urgency. We will not settle for anything less than what our people need. We will no longer be nice, or polite, or play into norms of respectability politics.*

*We demand the cancellation of rent for all of L.A. County renters—no rent should be owed during this pandemic, period. We also demand meetings with the supervisors themselves—no more dealing with staff members as the elected officials refuse to meet with their constituents.*

*If our demands are not met, we are organized and we are ready to fight. We have no other choice.*

*Jacob Woocher is an organizer with the Los Angeles Tenants Union.*



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# How Covid-19 Has Changed the Future of Landlording

*Sarnen Steinbarth, Forbes Real Estate Council*

We've heard it a million times in the last four months, stated in a variety of ways: These are unprecedented, surreal, bizarre and sometimes scary times. The way we run our businesses and our lives may be altered forever. Change truly is the only constant, and we collectively feel that now more than ever before.

To better understand how landlords have been adjusting to this "new normal," we heard from nearly 1,000 active customers to learn what immediate changes they have made, how they have navigated precarious situations, what permanent changes they will make to the way they run their businesses and how the future of landlording may change indefinitely.

The real estate industry, as well as the rental industry, has been slow to adopt new technologies. But now they have to in order to stay in business.

## Rental Marketing

Over 30% of landlords we surveyed said that they would only market and tour their rental properties online, and that process would become standard moving forward. Buyer behavior has also changed, and the frequency in which large purchases, including homes and vehicles, happens remotely has increased as well. We have entered a new landscape where making large purchases and decisions that affect your money and life are comfortably done in an entirely virtual environment. It doesn't appear the trend will reverse.

Landlords can still utilize a multichannel approach to garner the best results. This may include traditional methods such as yard signs and flyers combined with online marketing and an online rental application process, effectively merging offline and online worlds. This way, you can take advantage of tried and true methods, while streamlining

and finishing the process online, broadening your reach and shortening the vacancy period.

## Online Rental Applications

Forty percent of landlords told us they would only use online rental applications to fill vacancies. This makes sense in a world that is increasingly reliant on the digital environment to get things done, especially through the lens of a pandemic, stay-at-home orders, social distancing and varying levels of comfort navigating the Covid-19 outbreak.

The reliance on the digital world and working from home is not going away anytime soon either, and it may never go back to pre-pandemic levels. According to a Slack survey, productivity in new remote workers can initially take a hit while adjusting to the new methods. Over time, tools and strategies are utilized and developed, and productivity increases. The real estate industry may historically be slower to adapt, but over time, transitioning core functions online will increase productivity and the long-term ROI of an investment property.

## E-Signing

Only a fifth of landlords we surveyed said they would permanently change how they signed a new lease with tenants. Often, landlords have leases they have used for years for their property, and many are reluctant to change this process as well as the handing over of the keys that usually happen after both parties sign the lease. With trends moving more and more into the digital world, specifically in the real estate industry where home closing is starting to be done digitally, the expectation for a digital signing should help drive adoption for reluctant landlords.

## Video Call/Chat to Interview Tenants

Many landlords feel like an interview or meeting is essential to establishing the tenant-landlord relationship. And while the entire process may happen virtually, connecting a face with a name is still a critical part of the tenant screening process. The same reluctance a landlord may have to sign documents digitally may be holding them back from adopting video calls/chats for the interview process.

While this mode of conducting business is new for many landlords, getting on board with new ways of renting and

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*continued on page 10*

For the last ten presidential elections, voting in California has allowed me to vote for the Libertarian candidate with no remorse. It allowed me to make a pox-on-both-your-houses statement and it helped keep the Libertarian Party automatically on the ballot. I think this year, however, is different.

With zero chance of success, over the years the Libertarian Party has nevertheless put up serious candidates. In 2016, the ticket was comprised of two ex-governors with discernible gravitas. This year, the candidate is a woman with no particular qualifications, and her running mate is a guy who might be described as the Abbie Hoffman of the party. Too bad. Two ex-governors got some attention. These people will not.

Furthermore, my worst fear is a repeat of 2016, only worse. Losing the popular vote by three million arguably meant that Trump did not have a mandate. A serious politician would have preceded according. Trump did not. It is unlikely that he will win the electoral college again his year, but it is possible. Only this time, he could lose

the popular vote by 12 or 15 million, a clear vote of no confidence. This would be a nightmare.

I am not a fan of Joe Biden and even less so of his politics. I would comfortably ignore him in any other election. I have little love for the Republicans either, but I would likely vote for the likes of John Kasich were he the Republican nominee. But I have no such option. Trump will be no less undermined were he to win the election but lose the popular vote by 6,00,001 rather than 6,000,000. My vote is just a gesture. Nevertheless, I think this year it is more important to say *Trump is an existential threat to the country* than it is to say *we should all be libertarians*. With no great pleasure, then, I plan to vote for Joe Biden.



All our monthly member meetings have been moved online for the foreseeable future. Please note that during these uncertain times, the meeting dates and topics listed here are just our best estimate of what's going to happen, and when — always check the website for the most current information.

<https://www.bpoa.org/eventcal.php>

DATE	TOPIC
Wednesday, March 4	Rental Housing Provider 101: A Crash Course for New Members
Saturday, March 7	The Tax Workshop: Preparing Your Rental Property Taxes
Saturday, April 4	<b>CANCELLED</b>
Wednesday, May 13	<b>POSTPONED</b>
Saturday, June 6	Rental Housing Provider 201: Beyond the Basics
Wednesday, August 12	ADA & Other Discrimination Pitfalls
Wednesday, September 9	The 2020 Election Impact on Rental Housing Providers
Wednesday, September 30	Rental Housing Provider "Open Mike" Night
Saturday, October 22	Estate Planning Basics for Property Owners
Wednesday, November 11	Topic to Be Announced
Thursday, December 10	BPOA & BRHC Annual Holiday Dinner — <b>CANCELLED</b>



the rent board. This is another attempt to increase the already \$6m budget of the Rent Board.

3. Prohibits exemptions from rent control and eviction protections when an owner adds an Accessory Dwelling Unit to a parcel that already has more than two units.

## County & Local Candidates (rank choice voting)

### District 2 (running against incumbent Councilmember Cheryl Davila)

Councilmember Davila is as ineffective a Councilperson as one can get. Not only is she completely clueless on how rental housing works, she refuses to recognize the importance small owners play in the rental housing market. We recommend candidate **ALEX SHARENKO** as choice #1 and Terry Taplin as choice #2.

### District 3 (running against incumbent Councilmember Ben Bartlett)

While we have made every best effort to work with Councilmember Bartlett and to impress upon him the impact extreme regulation has on the fixed-income small rental housing owner in his district, his voting record does not reflect respect for the important role owners play in the rental housing industry. We recommend candidate **DEBORAH MATTHEWS** who has worked closely with us to protect the rights of rental housing owners.

### District 6 (running against incumbent Councilmember SUSAN WENGRAF)

We have long worked with and respected Councilmember Wengraf's devotion to rental housing providers. She has worked tirelessly to help protect the rights of single family homeowners and those with Accessory Dwelling Units to be free from the restrictions of rent regulations. We recommend her for re-election.

## Rent Stabilization Board Commissioners

We recommend the Homeowner for Rent Board slate ([www.homeowners4rentboard.com](http://www.homeowners4rentboard.com)) This slate consists of a group of homeowners who have an extensive breadth of knowledge in property ownership, rental housing, green building and business. They are:

**Bahman Ahmadi** – a first-generation immigrant, he and his brother co-own a fourplex in Berkeley. He is a retired civil engineer and has been endorsed by the Berkeley Democratic Club.

**Soulmaz Panahi** – a recent immigrant from Iran, she is a realtor with Red Oak realty and has extensive experience in investment income properties.

**Dan McDunn** – an Accessory Dwelling Unit builder, Dan has been active in promoting the addition of ADUs as a way in which to increase our housing supply without changing the fabric of Berkeley.

**Wendy Saenz Hood Neufeld** – a homeowner, Wendy had a rude awakening when she and her husband decided to rent out their single-family home when he took a teaching job in another state. When she tried to return and occupy her home, she discovered the laws had changed and she was required to pay a \$15,000 fee to the tenant to live in her own property. She is endorsed by the Berkeley Democratic Club.

**Pawel Moldenhawer** – a Polish immigrant, Pawel is a green housing contractor who started out in biotech but realized he could not hack the corporate life. He owns and rents out three single family homes in Berkeley.

**It is critical that you spread the word to at least five Berkeley voters you know.** Tell them to vote for the Homeowner slate so that we may have fair and equal representation on the Rent Board. The current Rent Board has no property owner representation — it is the only Rent Board in California with unequal representation.

**School Board Directors** – We have no recommendation.

We welcome questions, feedback and discussion about this and important political and legal matters. You may contact Executive Director, Krista Gulbransen at 510-304-3575 or [krista@bpoa.org](mailto:krista@bpoa.org).



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filling vacancies might become an essential part of filling vacancies during a pandemic. No one can predict when or if things will go back to a pre-pandemic way of operating. While the initial shift in March or April may have been jarring, preparing for the long-term and protecting your business and the ROI of your rental property might mean moving all steps of the rental process to the digital world.

## Avoiding Vacancies and Evictions

Avoiding vacancies and evictions has been an essential consideration since the beginning of the pandemic. Some landlords are offering lease concessions for current tenants to avoid vacancies, and according to an Elliman report, rent concessions on new leases in Manhattan and Brooklyn increased by 8% and 31.8% respectively over the same month in 2019. Other landlords have either set up payment plans or canceled rent for their tenants who were experiencing financial difficulties.

While an eviction may be necessary in some cases, working to avoid them may be more financially advantageous. Keep the lines of communication open with tenants. There may be potential to set up payment arrangements or deferments and lease modifications, such as sub-letting or roommate agreements, that may alleviate some of the tenant's financial burdens and allow both parties to navigate these difficult times with more ease and avoid eviction proceedings.

While transitioning to a virtual environment may have been a luxury in a pre-pandemic world, it is now necessary. Landlords who have adapted to going entirely virtual

can expect continued success with their rental business, and those who haven't should expect to execute each step of the rental process online to prepare themselves to operate and thrive in a virtual world.



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**MEMBERS ZOOM: THURSDAY, OCTOBER 22ND, 2020**

## *Estate Planning Basics for Property Owners*

*with Peter Shelton, Estate Planning Lawyer*

**2:00pm Workshop Start**

— **BPOA WORKSHOPS** — *Go Beyond the Basics* —

## Berkeley: COVID-19 Housing Retention Grants

*Berkeley's Housing Retention Program provides grant assistance to Berkeley residents at risk of eviction.*

The program guidelines on this page are specific to the COVID-19 emergency. These criteria will remain in effect for 60 days after the shelter-in-place order is lifted, or longer if deemed necessary by the City of Berkeley.

The maximum grant amount available through this program is \$10,000. Some residents may also be eligible for assistance through the ongoing Housing Retention Program operated by the East Bay Community Law Center. Applicants who are eligible for both programs may qualify for up to \$15,000 total assistance.

### Eligibility Requirements

Grants are available to households that meet the eligibility criteria below. Submitting an application does not guarantee financial assistance. Application approval requires that each program requirement be met and supporting verifiable documentation provided.

- Berkeley residents or Berkeley Shelter Plus Care/ Rapid Rehousing tenants who are at imminent risk of losing their permanent housing.
- Grant must prevent an eviction OR support housing related financial assistance (may include, but is not limited to rent, future rent, utilities and needed health and safety related home repairs that, if left unaddressed, will jeopardize occupancy) due to loss of income during the COVID-19 crisis.
- Households requesting assistance must have a signed

rental agreement or an alternate form of documentation verifying applicant's tenancy and monthly rent.

- Households must be at or below 80% of Area Median Income. Income must be verified by documentation from a third party or an affidavit signed by the applicant stating current income during the COVID-19 emergency.
- Households must meet one or more of the following requirements. Where applicable, households should provide supporting documentation verifying below criteria. During the COVID-19 emergency, acceptable documentation may include an affidavit from the applicant.
  - Decrease in income
  - Unexpected medical and/or disability expenses paid without credit
  - Fleeing domestic violence
  - Work-related vehicle expense (vehicle is required for the job supporting documentation from employer may be required)
  - COVID-19 related financial losses
  - Fell behind on rent for other factors to be approved at the discretion of the fund administrator.

### Maximum Amount of Grant

- Approved households can receive up to a one-time grant of up to \$10,000 in COVID-19 emergency assistance.
- Amount requested must be supported by related decrease in income or unexpected verifiable expense, as described in the eligibility requirements above.

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# November Ballot Quick Card

Proposition 21: **NO** • Proposition 15: **NO**

Measure MM: **NO**

District 2: **Alex Sharenko (1ST)** | **Terry Taplin (2ND)**

District 3: **Deborah Matthews**

District 6: **Susan Wengraf**

Rent Board

**Bahman Ahmadi** | **Soulmaz Panahi** | **Wendy Hood Neufeld**

**Pawel Moldenhawer** | **Dan McDunn**

## QUOTE OF THE MONTH

*The trouble with most folks isn't so much their ignorance, as knowing so many things that ain't so.*

— Josh Billings

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### MEMBERS ZOOM MEETING

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**THURSDAY, OCTOBER 22ND**

**2PM MEETING**

**Estate Planning Basics  
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