

MAY  
2021



## The Advocate for Berkeley's Rental Housing Providers

Founded 1980 • Charter Member, California Rental Housing Association  
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### Showing Vacant Apartments

Mark Tarses, President, BPOA

UC Berkeley will reopen in August for in-person classes, and right now, there are an awful lot of vacancies in Berkeley. *When showing an apartment to prospective tenants:*

1. **Be careful what you say in your listing.** If you say in your listing “walking distance to supermarket, library, and St. Mary’s Church”, someone might claim that your ad indicates a preference for Roman Catholics. Someone actually did claim that and sued the landlord.
2. **Charge market rent.** We live in a market economy. A seller of any commodity who sets his price far above or below the market will get into trouble. If you set the rent too low, rejected applicants will be mad at you because they didn’t get the place. If you set the rent too high, people will resent feeling that you are gouging them.
3. **Be polite to everyone but don’t show favoritism.** You can get into trouble making a seemingly harmless personal comment like: “I like your hat.” Another applicant who is also wearing a hat may wonder: “Why didn’t he say that he likes my hat? Is it because I’m Black?”
4. **Ask questions that are objective** and that are pertinent to the business at hand. Remember, you are showing your apartment to find a tenant, not a new best friend.
5. **Make notes.** After an applicant leaves, write down things that the applicant said on the back of their application form that you would be wise to remember. In court, written notes carry a lot more weight than recollections. I once got an application from a man who said to me: “I’m being nice, and this is hard for me because I hate landlords.” I could tell from the look on his face that he meant it. (No, I didn’t rent my apartment to him.)
6. **Let everyone apply.** If someone asks: “Do you accept applications from...”, say “Yes!” It doesn’t matter what follows the words ‘accept applications from.’ Accept applications from everyone.
7. **If an applicant tells you they are disabled**, assume that they are. The Americans with Disabilities Act does not define ‘disability’ or ‘reasonable accommodation.’ This law is now over 30 years old, and Congress has still not clearly defined these terms.

### MEMBERS ZOOM MEETING

**Tuesday, May 11th, 2:00pm**  
**Estate Planning for Property Owners**

**Thursday, May 20th, 2:00pm**  
**Managing Rental Insurance Rates**

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

*For the safety of our members, our monthly member meetings will remain online through the end of this year.*

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# Editorial

## Who's Standard?

Albert Sukoff, Editor

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.

### 2021

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Open Monday – Friday, with dedicated one-on-one appointments for your convenience.

#### 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)

At the end of this month's editorial is the rent schedule for the newly opened apartment building on Bancroft across from UC. Rents at The Standard range from \$3,600 a month for a studio to \$12,700 a month for a five-bedroom unit. Per square foot rents range from a bit under \$7 a foot to over \$9 a foot. These are breathtaking rent levels, especially when rents are supposed to be down due to Covid-inspired changes in urban housing patterns.

Comparing these rents with what most of us think of as attainable market rents is difficult. Their highest per-square-foot rent is \$9.32 for a 564 square foot one-bedroom renting for \$5,255 a month. A one-bedroom in an older building a half mile south or east of The Standard would likely go for \$3 a square foot, \$4 max. That a range of about \$1,700 to \$2,200, a far cry from \$5,255. A better indicator of current market rents might be Jones Berkeley, a new project on San Pablo just north of Cedar. This is the location of the old Cadillac agency. Here, studios start at \$2,028, one-bedrooms at \$2318, two-bedrooms at \$3735 and three-story, three-bedroom townhouses at \$5,290. Per square foot, these units range from \$3.36 to \$4.14, much closer to the market we know.

Are the rest of us that far below market? There are some partial explanations for the rents at The Standard. It is new construction. The units are furnished. There are many amenities, including a fitness center, a lounge, hot tubs, and a clubhouse. Each unit has its own laundry. Also, density is encouraged. The larger units are advertised as holding 6-8 residents and the five-bedroom units can be furnished to accommodate up to 11.

But most of all, however, it is across the street from UC. Shattuck and University is probably Berkeley's 100% corner, but Bancroft and Telegraph is a close competitor. This eight-story building, rather than the one- and two-story buildings at the actual corner, is what is appropriate for the immediate environs of a major institution such as the University of California with 42,000 students and a staff of 15,000.

So who is paying these stunning rents? Here's my guess. The building is feet away from the UC campus. It is new, clean, safe and student-oriented; perfect for entitled millennials who, at least by reputation, are spoiled and helpless.

I would bet that the building will fill with first- and second-year Cal students whose upper-middle-class parents are delighted that all that

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# ❖ 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.**

The Berkeley Rental Housing Coalition is here to keep members updated on local and state legislation that impacts your rental business. This month we look at social housing strategy and the way in which it has been constructed to purposefully strip you of your property rights.

Social housing (also known as community housing) is not a new concept. Many of us are more familiar with the term "public housing" which is government-owned housing, providing affordable rents to the most vulnerable community members. While public housing does still exist in other parts of the country, Berkeley failed in its management of public housing in the 80s and 90s. The Berkeley Housing Authority was accused of fraud and Berkeley eventually sold its public housing properties to private owners.

As of late, there has been a resurgence in the interest of community housing models. It's sold as a way to stem the tide of displaced community members who have been priced out of cities like Berkeley. Social Democrats have reimagined and retooled social housing to act as a primary platform for their political runs. Three strategies have been employed to move forward the social housing agenda, all of which got a much-needed boost by way of the pandemic.

## **Strategy 1 – Increase Social Democratic Representation in Government**

From well-known state capitols to unknown small towns in Democrat-leaning states, social housing activists have pushed for stronger representation of those who subscribe to social housing goals. They figure the greater the representation, the better the chance social housing legislation will get passed.

## **Strategy 2 – Provide as Many Opportunities as Possible for Alternative Forms of Ownership**

The preferred ownership structure of social housing is typically shared ownership like Tenants in Common or Co-Op. But at the end of the day, all activists care about is the goal of reducing who is able to profit from housing. They prefer minimal private ownership in exchange for the community's collective ownership of housing.

## **Strategy 3 – Take as Much Private Housing Off the Speculative Market as Possible**

This is a key part of their strategy and stems from such publications as *The Cities' Wealth: Programs for Community Economic Control in Berkeley*, published in the 60s. It focused on "...the techniques of economic and political policy which lead toward controlling and reallocating a city's wealth." It calls for "community control of the police" and "cooperative and community-owned housing [that limits] property speculation and thus deflates or partially expropriates income property values."

All this leads to a call to discharge you of the private ownership of your home by any means possible. The first start is the Tenant Opportunity to Purchase Act (TOPA) which requires you offer your rental property to tenants and "Qualified Nonprofits" first. We are guaranteed there is more to follow and will keep you updated as policy is introduced.

The BRHC Corner is a way to keep our members connected to rental housing legislation both at the local level and the state level. The Berkeley Rental Housing Coalition is the political and legal arm of BPOA with its own membership. Membership provides support to our political efforts, lawsuits, and the employment of Executive Director Krista Gulbransen.

To lend your support, contact Executive Director Krista Gulbransen, [krista@bpoa.org](mailto:krista@bpoa.org) or (510) 304-3575.

*Tax planning and preparation for landlords*

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# Berkeley Issues Scathing Response to Cal's Long-Range Plan; Wants it Redone

Frances Dinkelspiel, Berkeleyside, April 23, 2021

The city of Berkeley issued a scathing 75-page response to UC Berkeley's 2021 Long Range Development Plan and accompanying draft environment impact report saying they are so flawed and inadequate that both must be revised.

The university failed in most every case to do any serious analysis of the impacts of its projected growth through 2036, Jordan Klein, the acting head of the planning department said in the letter sent during the public comment period for the draft EIR. Instead, UC Berkeley provided perfunctory responses to how it would mitigate impacts from a rising campus population, increased carbon emissions, increased sewer use, air, noise, and transportation impacts and how the campus will handle increased wildfire risks. The university's reports are so inadequate that they do not comply with the California Environmental Quality Act, he wrote.

"The University must fully disclose the impacts of its development projects and anticipated growth and mitigate the environmental impacts of those projects," Klein wrote.

Over the next 15 years, UC Berkeley plans to increase its campus population by about 22%, from 55,130 to 67,200 people. The campus hopes to add about 8 million square feet to its existing 11.8 million square feet footprint, including the addition of 11,730 student beds, 549 faculty and staff beds, and 1,240 additional parking spaces, which will mostly be added around the perimeter of the campus, according to the LRDP.

One issue with the newly released LRDP and DEIR is that it makes assumptions about the current campus population that the city of Berkeley disagrees with and is challenging in court.

UC Berkeley has gotten hundreds of comments on its LRDP and DEIR and will respond to every one of them in writing, as required by California law, said Kyle Gibson, the director of communications for UC Berkeley's capital strategies department. UC Berkeley plans to present the draft of the two documents to the Board of Regents at its May meeting and hopes the regents will approve the final documents in July, he said.

While the city is critical of most aspects of the two documents, it expressed its greatest concern that the long-range plan allows for a huge campus population increase but does not promise to build enough housing to accommodate that growth.

UC Berkeley ranks lowest of the UCs in the percentage of students it houses. Cal only houses 22% of its undergraduates and 9% of its graduate students, providing 8,700 beds for a student population of 42,000. The average across the system is 38.1% for undergraduates and 19.6% for graduate students. This mismatch between the number of students UC Berkeley has and the number of beds it provides has placed huge strains on the housing

situation in Berkeley and has led to about 10% of students to experience some homelessness, Klein noted.

The long-range plan calls for Cal to build 11,200 beds by 2036. The first two up, which will house about 1,960 students and which are analyzed in the DEIR, is the Anchor House

project on Oxford Street with about 760 beds for transfer students and a 16 or 17 -story tower on People's Park that will hold 1,000-1,200 students. (The final design has not been determined yet).

Not even those beds are guaranteed, but should be, wrote Klein. In 2005, in its LRDP, UC Berkeley pledged to add 2,500 beds by 2020. It has only constructed half of those, Klein wrote. Even adding 11,200 more beds is inadequate as it will mean Cal only houses 31% of its population, (20,751 beds) leaving the remaining 70% of campus students, faculty, and staff to live off-campus, many of them in Berkeley

"Adding thousands of new residents in a city that already has a housing shortage would exacerbate challenging conditions by increasing demand for housing and displacing non-student residents," wrote Klein. "The result has been a cycle of housing demand for the campus population that significantly outpaces supply. The proposed LRDP Update would continue this cycle and exacerbate an already untenable housing shortage. ... Now, UC Berkeley is proposing an LRDP update that once again includes no specific commitment to develop an adequate amount of housing to serve the unmet housing demand."

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*UC Berkeley wants to add 12,000 people to its campus in the next 15 years and build 8 million square feet of housing, research space and parking.*

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*Leonardo Castaneda, Bay Area News Group, April 16, 2021*

Mark Vitner doesn’t need the monthly unemployment numbers or quarterly economic reports to know the U.S. economy is coming back from the sharp pandemic-driven recession.

Vitner, a senior economist at San Francisco-based Wells Fargo, has real-time data, ranging from the number of restaurant reservations to how often keycards are swiped at office buildings, all pointing to a robust economic recovery. His bank is forecasting 6.4 percent annual GDP growth nationally for 2021. But there is no shortage of challenges ahead. With mounting pressure from Austin, Seattle, Miami and other cities vying to be the next Silicon Valley, a devastating year for small businesses and a potential rental debt cliff in the future, here’s what Vitner thinks is in store for the Bay Area. This interview has been edited for length and clarity.

**Q: What are you looking at to determine the strength of the economic recovery in the Bay Area?**

A: Well in the Bay Area, particularly in San Francisco, less so in the East Bay and South Bay, in San Francisco we need the office workers to return in order for those service workers to have customers to serve. And we also need to see business travel pick back up, and leisure travel pick back up. And I think that in the case of San Francisco, I think both are likely to lag. I think that leisure travel will come back first, but business travel’s not likely to come back in a big way until 2022.

And most folks haven’t figured out how they’re going to return to the office just yet. It’s a little more problematic when you get to dense areas like downtown San Francisco and in Manhattan. And I think those two areas are likely to remain the most challenged because so many folks rely on mass transit. And the areas that seem to be coming back the fastest are those where folks predominately commute in automobiles. And that may be why in the Bay Area, *the East Bay and South Bay area doing better than San Francisco is.*

**Q: A lot of people and businesses have built up significant rental debt on homes and commercial properties during the pandemic. Are you worried about the economic fallout of those bills coming due?**

A: My concerns are multifaceted. Certainly, we’re concerned on an individual basis and what that’s likely to mean to the property owner. But from an economy-wide view is this a systemic problem that is going to lead to a credit crunch? The big concern on rental delinquencies is, will this cause defaults on the debts of the property owners and lead to a broader credit crunch. That is something that

would threaten the integrity of the economic recovery. I don’t think that’s likely. I know that a lot of landlords have been reluctant to take the rental assistance in the economic stimulus program because they feel the tenants that they have, have not made a best faith effort to pay their rent, and as a result, they’d rather let the lease expire and let them move on rather than take partial rent.

**Q: On the positive side, are there unique strengths that you see in the Bay Area that will help it on the path to full recovery?**

A: There’s a number of things but to start off, great cities always recover. And San Francisco is one of the world’s great cities and it will always recover. So I’m not worried about San Francisco recovering. We’ve got a number of challenges ahead of us but a lot of those will become a little bit easier when people start returning to work and we have more eyes on the street.

The other things that made the San Francisco Bay Area such a great place for all these innovative tech companies are still in place. Stanford and Cal are some pretty big assets, you know. You’ve got two great universities — you’ve got more than just those two, but you got two really great universities there. And you’ve got this score of tech companies and all the law firms, venture capital firms. No other place in the world comes close to matching the ecosystem that exists in Silicon Valley.

San Francisco may lag a little bit. You think back to the last business cycle, *San Francisco* recovered ahead of the South Bay and East Bay. And this time it’s probably *going to lag behind* the South Bay and *East Bay*. That’s not necessarily a bad thing. San Francisco’s got some issues that it needs to work through but I think that the easing that we’ve seen in apartment rents and office rents will create a lot of opportunities and I’m absolutely certain as I said earlier that San Francisco will come back greater than ever. I’m absolutely certain that it will, it’s just going to take a little bit of time.

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# Appeals Court Rules in Favor of Development at Spenger Site

Frances Dinkelspiel, Berkeleyside April 21, 2021

**The owners of the old Spenger's parking lot at 1900 Fourth St. have the right to build a 260-unit complex there despite the opposition of the city of Berkeley and the Confederated Tribes of Lusjon, the California Court of Appeal ruled Tuesday.**

While members of the Ohlone community and the city contend the construction would destroy a historic structure, a shellmound that has existed for 4,900 years, the court disagreed. It pointed out that any remnants of the shellmound disappeared long ago and any remaining remnants are now underground. So there is no historic structure that will be destroyed, the court ruled.

"There is no evidence in the record that the Shellmound is now present on the project site in a state that could reasonably be viewed as an existing structure, nor even remnants recognizable as part of a structure," the judges wrote.

The ruling is a victory for Ruegg & Ellsworth and the Frank Spenger Co., which have owned the property for decades. The companies have tried to get a project approved on the land for years, first through Berkeley's normal development channels, and then in an expedited process through SB 35, which allows some projects with 50% affordable housing to be almost automatically approved.

Berkeley rejected the project in September 2018. The developers sued, but an Alameda County Superior Court judge ruled in November 2019 that Berkeley was within its rights to reject the project. Ruegg & Ellsworth and the Frank Spenger Co. appealed that ruling. The judgment handed down this week affirmed the property owners' rights and rejected Berkeley's actions.

For members of the Confederated Tribes of Lisjan and their supporters, the ruling is crushing. It means that a large housing project can be built on the last open section of the West Berkeley Shellmound, a three-block area the city of Berkeley declared a landmark in 2020. Just last month, Native Americans and community members held a protest against the development at the site and painted "Sacred Site" on the street.

Corinna Gould, the chair of the Confederated Villages of Lisjan, issued a statement today about the court's decision.

"The Confederated Villages of Lisjan is extremely disappointed in the court's ruling and strongly disagrees with the court's view that the West Berkeley Shellmound and Village Site is not a historic structure," Gould said. "This 5,000-year-old sacred site is not an appropriate place for a housing and commercial development. The tribe is consulting with our counsel whether to ask the California Supreme Court to reverse this decision."

"There has been a significant amount of misinformation about the parking lot site for many years," Jeffrey Anhalt, the risk manager for Rue-Ell Enterprises, Inc., which manages property for Ruegg and Ellsworth, wrote in an email. "The decision should help clarify that the site is just part of a three-block area that Berkeley landmarked and that extensive archeological and historical investigations at the parking lot site revealed no evidence of any intact cultural resources, nor even remnants recognizable as part of a structure. While there were shellmounds in the area, the overwhelming evidence is that no shellmound was ever present at the parking lot/development site."

The ruling also took issue with Berkeley's rejection of the proposed complex under SB 35. That law, which went into effect in January 2018, required cities that had not met their regional housing requirements to allow over-the-counter approval for projects with 50% affordable housing.

Even though the Spenger's parking lot project met those criteria, the city rejected the application because the site was a designated city landmark. A city staff analysis also said the application conflicted with the city's Affordable Housing Mitigation Fee requirements.

*continued on next page*

# Bill Limiting Ellis Act Evictions Gets Shelved

Alexei Koseff, *San Francisco Chronicle*, April 16, 2021

SACRAMENTO — Supporters have shelved a bill that would have prevented rental units in California from being removed from the market after they are sold to a new property owner, a phenomenon that tenant rights advocates say puts many low income renters at risk.

The measure, which targeted evictions under a state law known as the Ellis Act, was originally scheduled to be heard in its first committee Thursday. But lacking the votes to advance the measure, Assembly Member Alex Lee, the San Jose Democrat carrying the bill, pulled it from the schedule before the hearing.

“There’s a lot of educating that must be done about the need for tenant protection and about the Ellis Act,” Lee said in a statement. “We will continue this effort next year.”

The Ellis Act has for decades given California property owners a path to exit the rental market by evicting tenants if they plan to move themselves or family members in, sell the units or demolish the building.

Tenant rights groups argue that the law has morphed into a tool for speculators to flip a dwindling supply of affordable rental housing in the state. They say thousands of rent-controlled units have been lost to serial evictors who can make far more money by kicking out the tenants and converting the buildings into single-family homes or

condominiums, or tearing them down and building new housing.

Lee’s bill, AB854, would have required that property owners hold onto a unit for at least five years before they could invoke the Ellis Act to evict tenants and would have restricted their ability to use the law to one property per decade. Lee said the changes would balance the rights of long-term property owners who want to retire from the rental business with protections against speculator abuse.

But the measure was vigorously opposed by organizations representing property owners, who defended the Ellis Act as a backstop for owners who are losing money on a rental or need their building for themselves or relatives.

Lee concluded that the bill would be unable to secure a majority on the eight-member Assembly Housing and Community Development Committee, even though the panel is chaired by one of the measure’s co-authors. This is at least the fourth time in the past two decades that advocates have tried and failed to add a holding period to the Ellis Act.

“I will never stop fighting for renters,” Lee wrote on Twitter on Wednesday night. “Even though we may not win (and we often don’t) in an unfair game, we will keep fighting. I promise you that.”

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## Court Rules Spenger’s Old Lot Development OK

Berkeley also raised the question of whether the project fit into SB 35’s definition since it incorporates 27,500 square feet of retail and parking.

The City Council will discuss the matter in the coming weeks to decide if Berkeley wants to appeal the ruling, he said.

The owners of the property said the court’s recognition that Berkeley was wrong to reject the application means there will soon be more affordable housing in Berkeley.

“The decision recognizes that Berkeley violated state law and wrongfully denied a property owner its statutory and constitutional right to proceed with an afford-

able housing development that is badly needed to help alleviate the state’s and indeed Berkeley’s own affordable housing crisis,” said Anhalt. “The long-stalled development project should now be cleared to proceed, so it is important that Berkeley mitigate any ongoing damages by eliminating any further roadblocks.”

The Chochenyo-speaking Ohlone Indians inhabited West Berkeley for thousands of years prior to European contact. Their diet included clams, oysters and abalone, and they discarded the shells and other materials into mounds. Occasionally, the Natives buried their dead in the mounds. Historians believe there were more than 400 shellmounds around the Bay Area. The Ohlone abandoned West Berkeley 600 to 800 years ago.

## COVID-19: Help Student Residents Have a Safe and Sustainable Move Out, Avoid Fines!

*It's that time of year again. Avoid fines up to \$1000 for illegal dumping during Cal Move Out. Property owners and managers have an important role in ensuring that public health and safety are protected as students move out at the end of the academic year. Any objects that are dumped on the curb are a violation of City policy and a public safety hazard. COVID-19 precautions are still needed to keep our communities safe.*

### Tips for property owners and managers to keep people safe during the Move Out period:

- Help your tenants schedule staggered appointments to return and move out their things, so that social distancing can be maintained.
- Encourage current tenants to connect with the next group of tenants to safely sell/pass along unwanted furniture.

### Tips to avoid fines:

#### Plan ahead, Call the City (510) 981-7270

- Order extra curbside pick up or short-term dumpsters
- Schedule free bulky waste pick up (1-4 unit properties)
- Schedule free curbside mattress pick up (1-9 unit properties)
- Purchase prepaid trash or plant debris bags at the Transfer Station or Ace Hardware

### Tips for recycling and reusing:

#### Inform tenants how to reduce waste

- Sort your waste: Use your curbside bins for recycling and compost
- Recycle Most Electronic Devices for Free with [ewasteCollective.org](http://ewasteCollective.org)
- Check the RE:Source Guide at [www.StopWaste.org](http://www.StopWaste.org) for Local Reuse, Repair, Recycle & Safe Dis-

posal Options for Everything from Batteries & Bicycles to Clothes & Furniture

- Spread the below message to all tenants!

### Please share the following information with your tenants who are moving out:

1. **Safety First! Do NOT dump unwanted items or furniture on the curb.** Materials left on the curb pose a risk to the homeless population, sanitation workers, people using the sidewalk, and elderly or vulnerable neighbors. It is illegal to leave materials on the curb and can result in imprisonment or hefty fines.
2. **Plan ahead.** Make a plan for what you will do with your furniture and unwanted items before your lease expires.
3. **Donation resources.** Check out RE:Source Guide at [www.StopWaste.org](http://www.StopWaste.org) for a list of places that are still accepting donations.
4. **Dispose of waste properly.** See the Ecology Center's sorting guide ([www.resourcefulapp.com/berkeley#sorting](http://www.resourcefulapp.com/berkeley#sorting)) and tips for keeping curbside recycling safe. Drop off up to 2 mattresses and 2 electronics per visit at the Berkeley Transfer Station for free. To drop off additional electronic waste, check out the [ewasteCollective \(ewastecollective.org/electronics-recycling\)](http://ewasteCollective.org/electronics-recycling).
5. **Visit CalMoveOut.com** — a website designed by students, for students — for more tips and resources about a safe, sustainable Move Out.
6. **Take advantage of Cooperative Reuse** — a student-led initiative to give reusable household items a new home. Reusable furniture and mattresses collected and made available, Fri-Sun May 21-23, 28-30. Visit [CalMoveOut.com](http://CalMoveOut.com) for more information.

*Look out for more resources from the BPOA in your inbox this May.*



**THE STANDARD • 2580 BANCROFT**

BRs	Baths	rent/mo	area/sf	rent/sf
0	1	\$3,600	403	\$8.93
1	1	\$3,900	442	\$8.82
1	1	\$5,255	564	\$9.32
2	2	sold out	804	n/a
2	2	\$5,700	893	\$6.38
2	2	\$6,160	948	\$6.50
2	2	\$8,290	1064	\$7.79
2	2	\$8,290	1066	\$7.78
3	2	sold out	1317	n/a
3	2	\$7,800	1292	\$6.04
4	3	\$7,900	1224	\$6.45
4	3	\$10,300	1355	\$7.60
4	3	\$12,200	1593	\$7.66
4	4	\$11,000	1533	\$7.18
5	4	\$12,700	1884	\$6.74
5	4	\$12,100	1645	\$7.36

Source: [thestandardberkeley.landmark-properties.com](http://thestandardberkeley.landmark-properties.com)

money they socked away to pay for Yale is not needed for a quality education at Cal. If they were prepared to shell out \$75k a year to a cross-country Ivy, the alternative of UC and The Standard is a deal. It may not be an option for most in the UC community, but out of 50,000 or more, there are at least several hundred for whom The Standard is a viable alternative. Or so it appears.

Clearly the market for The Standard is the most financially able among UC affiliates. It is not our market although it may work to our advantage after students experience Berkeley and learn that there are alternatives which provide more space for less money. After The Standard, our rents cannot help but be perceived as pretty damn reasonable.



For the safety of our members, our monthly member meetings will remain online through the end of this year. Please check our website for the most current dates and topics or shoot us an email at [bpoa@bpoa.org](mailto:bpoa@bpoa.org) and let us know about a topic you'd like to see covered.

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

DATE	TOPIC
March 18, 1:00 pm	<b>What's on Deck for State Housing Bills in 2021</b>
April 15, 2:00 pm	<b>Marijuana, Emotional Support Animals &amp; Other ADA Pitfalls</b>
May 11, 2:00 pm	<b>Estate Planning Basics for Property Owners</b>
May 20, 2:00 pm	<b>Managing the Rising Cost of Rental Property Insurance Rates</b>
June 10, 2:00 pm	<b>How Prop 19 &amp; Other Laws Affect Your Estate Planning Needs</b>
June 17, 2:00 pm	<b>Mid-Year Berkeley &amp; State Rental Regulation Update</b>

***Are you a new member or new to being a landlord?*** In 2021 we are hosting a Beginning Landlords Series for new housing providers or anyone that needs to brush up on the basics of being a landlord in Berkeley. Each month we will take on a new topic in depth, examining everything you need to know to manage your own property.

Check the BPOA calendar for more details.

## Worst Landlord Story Ever

*Some places are less refined than Berkeley. Count your blessings.*

Tenant and his wife were divorcing and in the middle of a nasty custody battle. Wife brought child over for weekend visit and got into fight with new girlfriend. New girlfriend knocked her unconscious, tied her to a chair and kept her locked in the apartment until tenant came home. Tenant and girlfriend spent a week torturing wife until she finally signed papers relinquishing custody.

After wife gives up custody, tenant and new girlfriend kill wife.

Tenant takes the drywall off the wall in the apartment, shoves wife's body between the wall joists and puts the drywall back up. He leaves her there until he can't stand the smell in the apartment anymore. Tenant then pulls the drywall back off, pulls out the body, puts it in apartment complex refrigerator and carries it off.

Tenant dumps the body in the national forest and sets it on fire. Then tenant brings the refrigerator back to the apartment so he can keep using it. When the police come looking for the wife, tenant sets the apartment on fire to cover up the murder but only does minimal damage.

Police arrest tenant for murder. Tenant's mom bails him out of jail. Tenant returns to the apartment and

demands the apartment complex repair the drywall, get the smell out of the wall joists, clean the blood up out of the carpet and the subflooring and replace the refrigerator. Tenant also demands that the apartment complex add new girlfriend to his lease.

When tenant is served with an eviction notice, he trashes the entire apartment then waits until his new girlfriend comes home. He douses her with gasoline, locks her inside the apartment and throws a Molotov cocktail through the window. When the cops come, he blames everything on his new girlfriend who is now comatose with severe burns over the majority of her body.

Tenant is arrested again and held without bond. So his defense lawyer subpoenaed every other tenant in the building to testify and begins taking depositions that come across as bullying/threatening. Apartment complex insurance company attorney refuses to represent the tenants and have the subpoenas quashed. Half the tenants move out so they don't have to deal with the lawsuit/press/murder. The other half get together and sue the apartment complex because the management failed to maintain a safe living environment.

### MEMBERS ZOOM MEETINGS FOR MAY

## *Estate Planning (May 11th, 2pm) & Rental Insurance (May 20th, 2pm)*

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

*For the safety of our members, our monthly member meetings will remain online through the end of this year.*

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

## Re: Covid Options—See Link to the Rent Board Website

### COVID-19 Tenant & Landlord Resources

This is an evolving situation with measures being taken at the state, county, and local levels, and rapidly changing information. **This page was last updated: April 12, 2021.**

Items with new or updated information are noted.

[www.cityofberkeley.info/Rent\\_Stabilization\\_Board/Home/Can\\_t\\_Pay\\_Rent\\_Due\\_to\\_COVID-19.aspx](http://www.cityofberkeley.info/Rent_Stabilization_Board/Home/Can_t_Pay_Rent_Due_to_COVID-19.aspx)

### QUOTE OF THE MONTH

*Economic vitality is not so much dependent on the personality or political acumen of leaders but rather economic philosophy. So long as socialism demands loyalty to the state above loyalty to oneself and one's family, it is doomed to failure. The state is too big, too slow, too amorphous, too ignorant and too corrupt to meet individual needs. Critical life choices conscripted by bureaucrats — well-meaning at best; self-serving at worst — is not a viable blueprint for prosperity.*

— your editor

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### Cal Dev Plan *continued from page 4*

The proposed increase in the campus population has numerous environmental impacts “including those relating to transportation, air quality and greenhouse gas emissions,” which the DEIR does not address, wrote Klein.

The DEIR also says the long-range plan will greatly impact air quality and noise. “However, instead of identifying mitigation measures to avoid or minimize these impacts, the document relies on largely unenforceable “Continuing Best Practices” (“CBPs”) or merely kicks the can down the road, deferring mitigation to CEQA review at the project level,” wrote Klein. “Such fundamental errors undermine the integrity of the EIR. As a result, the University would violate CEQA were it to certify this fatally flawed EIR.”

Another indication of how flawed the DEIR is revealed in its discussion of a new wastewater treatment plant to produce non-potable water, wrote Klein. The DEIR only provides two sentences about this project, “failing to disclose the location, size, and related infrastructure that would be associated with the treatment facility,” he wrote.

Berkeley's letter points out other concerns regarding the impact on transportation, sewer use, fire and police services and more.

Any delay in the approval of the final EIR will mean a delay in the construction of new academic buildings and badly-needed housing, said Gibson. “In the case of the two housing projects, Anchor House and People's Park, it is accurate to say that delaying their approval by even a few months could delay the entire construction schedule so that they are not completed by the start of the targeted academic year.”



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### MEMBERS ZOOM MEETING

**Tuesday, May 11th, 2:00pm**

***Estate Planning Basics for  
Property Owners***

**Thursday, May 20th, 2:00pm**

***Managing Rental Insurance Rates***

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

### LANDLORD 101 SESSIONS:

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