

JAN  
2022



## The Advocate for Berkeley's Rental Housing Providers

Founded 1980 • Charter Member, California Rental Housing Association  
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### *A City of Millionaires and Homeless People*

*Mark Tarses, President, BPOA*

I have been telling people for many years that Berkeley has become a city with two kinds of homeowners: millionaires and homeless people. If you own a house in Berkeley, you are probably worth over a million dollars. That's because the average sales price of a house in Berkeley is \$1,500,000. The only other significant group of homeowners in Berkeley are homeless people. They are homeowners because they own the tents and RVs that they live in. But - what about people who are neither rich nor poor? Where is there a house in Berkeley that a middle-class family could buy?

When I came to Berkeley in the 1970s, this was a middle-class city. There were sections of the city where rich people lived and sections where poor people lived, but most Berkeley homeowners were middle class people. When I bought my house in 1978, my neighbor on one side was a mailman, and my neighbor on the other side owned a taxicab. People like that can't buy houses in Berkeley anymore. Personally, I think the loss of the middle-class in Berkeley is very sad.

How did this happen? This is the result of local government policies that have made the cost of housing progressively more expensive for both new homeowners and tenants. Berkeley politicians figure that since a person has to have a lot of money to buy a house or rent a new apartment in Berkeley, what difference does it make if they add one more tax, one more fee, one additional financial burden to the cost of buying a house or building and renting an apartment house. Of course, the cumulative effect of these costs adds up over the years, and over time, Berkeley wound up going from a city of middle-class homeowners to a city of millionaires, homeless people, and tenants paying the highest rents of any college town in the United States.

There are lots of Third World countries in the world where there is no middle-class, that is, places where there are a small number of rich people, and everybody else is poor. I don't want to live in a place like that. Do you? Does anyone?

### **JANUARY EVENTS**

***Cruising the New BPOA Website:  
A Member Tutorial***

**Wednesday, January 12, 3:00 pm**

***How We'd Get in This Mess? A Political  
History of Berkeley Rent Regulations***

**Wednesday, January 19, 2022, 5:30 pm**

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

*In-person member education meetings will resume in  
Spring 2022 on an every-other-month schedule  
alternating with webinars*

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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.

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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

## *Defund the Police*

*Albert Sukoff, Editor*

*Defund the Police* has got to be about the dumbest political slogan in history. It does not accurately convey the sentiments of its subscribers and unnecessarily offends their political opposition. On its surface, it is too silly to take seriously. What [most] people who hold the implied sentiment mean to say is that the police have been, by default, assigned functions which are not inherent to police work and for which they are not trained to perform. What [most] people using this slogan mean to say is *reorder police funding to include professionals who are better prepared to intervene in areas of human conflict and despair which have or could escalate into violence*. This does not neatly fit on a protest sign, which is unfortunate because it is a sentiment worthy of serious consideration. A cop probably is not the best guy to get between fighting spouses.

I am not indifferent to the debate over capital punishment, but it is not an issue over which I get unduly exercised. That is because on any given day, I can see both sides of the argument. While my criteria have remained constant, my personal position on capital punishment, for what it's worth, has flipped over the years. I am now against the practice for the same reason I used to be for it. It's the cheaper alternative. I used to believe that executing a convicted killer must be more cost effective than supporting him/her for a lifetime. Now I see that the legal costs of carrying out an execution far exceed the cost of a lifetime of incarceration. To protect against the worst misapplications of the death penalty, we spend millions per convicted prisoner. In the meantime, they spend half a lifetime in prison anyway. In a more cynical mood, and without a firm conviction on the morality of capital punishment, I'll take the economic argument. End the death penalty.

Likewise, there is a fiscal argument to realign police work, at least in California. Police are far more expensive than social workers. The most costly employee in Berkeley is a policeman. Between salary, overtime, other pay, and benefits, a police lieutenant in 2019 cost the City \$514,000. That is not a misprint. Nor is it an anomaly. Fourteen other Berkeley police officers cost the City over \$400,000/year; another 35 between \$300,000 and \$400,000. Oakland is even worse. Two officers cost over \$600,000, another over \$500,000. There are about 30 more over \$400,000. For 2019, the last year for which data is available, I count 50 police officers in California whose total compensation package exceeded \$500,000 (source: [transparentcalifornia.com](http://transparentcalifornia.com)).

A cursory review of California data implies that the salary for an average police officer is about \$150,000/year; for a social worker, \$100,000 or less. (These employees - all government employees in California - apparently cost about double their salary.) So you can hire three or more social workers for the cost of two police officers. This cuts costs in more ways than the obvious. A chunk of police costs goes to cover overtime and retirement benefits. Social workers could relieve the need for a lot of police overtime and they do not get to retire fully vested in the retirement system in their 50s.

On the premise that professionals other than the police are likely more appropriate for dealing with many forms of confrontational behavior, serious

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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.

### Legislative News & Updates

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.

### Eviction Moratorium Update

The Eviction Moratorium in both Berkeley and Alameda County continues to remain in place. While the state's Eviction Moratorium expired on September 30, 2021, that same law states that no jurisdiction shall modify, extend, or create a new eviction moratorium to have effect any earlier than April 1, 2022. This means those Eviction Moratoriums will likely remain in place at least until April 1, 2022. And even when they do end, tenants will have up to a year to repay 75% of the rent in arrears before you could move to lay claim to debt in small claims court or move to evict them for nonpayment. If you have a tenant that is past due on rent at any period between March 1, 2020 and the present, we highly recommend you apply to the Alameda County's Rent Relief program.

Although their website states that they have more applications than they do rent relief money, you may still apply, and we highly recommend that you do. Applying for rent relief is part of the required process you must follow to recover any of the debt and/or possibly evict for ultimate non repayment of the debt. If you are having difficulties with your application, please contact the BPOA office at [bpoa@bpoa.org](mailto:bpoa@bpoa.org).

### Tenant Opportunity to Purchase Act (aka "First Right of Refusal")

We have been working diligently over the past four years to fight against TOPA, a policy designed to give tenants the first right of refusal when you go to sell your property. The legislation is written in a way that lengthens the sales process considerably and lowers the market sales price in an effort to give tenants and housing nonprofits an advantage in a difficult housing market.

The Mayor and the East Bay Community Law Center are the primary proponents of the legislation and while we were able to defeat it back in March, we anticipate it will

be brought forward once more. The mayor seeks to "be the first" Mayor in California to put the policy in place, perhaps in his mind sealing a legislative seat at the state level. But we anticipate a continued fight by our organization, the Association of Realtors, and small owners in the Bay Area who would be unduly impacted by such a drastic change in the sales process.

The BRHC remains in conversation with the proponents of the legislation as well as various BPOA members who could be impacted by this proposal. We understand that competing in an open market is not easy, but neither is property ownership. What is needed is not a market constrictor (especially given the timeframes given for tenants and Qualified Organizations to act on their rights under TOPA) but rather market support for first time homebuyers. We must acknowledge that many tenants have no interest in being a property owner. Maintenance, capital improvements, mortgage costs and a variety of other responsibilities that come with property ownership are not many people's cup of tea. But if it is for some, why not find supportive programs that provide financial support for buyer and seller? What makes a successful sale is money, and nothing in the current legislation provides financial incentives or assistance that would help make the policy more palatable or effective.

*Help fund our efforts to fight against unbalanced, unfair, and poorly thought-out rental housing policy. Your membership in the Berkeley Rental Housing Coalition helps to employ feet-on-the-ground acting as your watchdog. To lend your support, contact Executive Director Krista Gulbransen, [krista@bpoa.org](mailto:krista@bpoa.org) or (510) 304-3575.*



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# Should Renters Get First Dibs in Bay Area Real Estate Deals?

Marisa Kendall, Bay Area News Group, December 21, 2021

As the Bay Area grasps for new ways to quell its affordable housing shortage, several cities are considering controversial policies that would give some tenants a shot at buying their homes — a move that's sharply dividing property owners and renters.

To prevent big-pocketed investors from scooping up homes, raising rents and forcing tenants out, East Palo Alto, San Jose, Oakland and Berkeley are eyeing ordinances that would give renters, nonprofits or the city first dibs on some sales. Known as opportunity to purchase acts, the ordinances have been heralded by tenant rights advocates as a way to give renters a leg up in the overheated housing market. But the idea faces strong opposition from some landlords and real estate groups who argue they represent an unconscionable interference in the rights of property owners.

"It's going to be a battle," said Sandy Perry, a board member of the South Bay Community Land Trust, which seeks to buy residential buildings and convert them to affordable housing. "We're fighting against the real estate industry, which doesn't want this to happen. But I think it's a great opportunity. It's an opportunity to do something very concrete against this wave of displacement that's still going on in San Jose and in Silicon Valley."

The proposals vary, but generally they require owners of multi-unit rental properties to notify the tenants in their building, qualified affordable housing nonprofits and/or the city if they intend to sell. If none of those groups produce an offer the seller finds acceptable, the seller can list the property on the open market. After selecting the best offer, the seller then needs to give the tenants, nonprofits or the city the chance to match it. If that occurs, under East Palo Alto's proposed ordinance, the owner would have to sell to whoever matches the offer. The buyer would be prohibited from raising rents past a certain level.

Under the model San Jose is workshopping, the owner would get the final say in selecting the buyer.

The San Francisco Community Land Trust is in the process of buying its first two buildings under the city's two-year-old purchase act — 40 units in the Tenderloin and four in Russian Hill. But though the city's ordinance gave the land trust an unprecedented chance to compete with corporate investors, it's challenging for nonprofits to find the cash to close deals, said Keith Cooley, director of asset management for the land trust. Other cities weigh-

ing opportunity to purchase acts are considering coupling them with city funds.

At an East Palo Alto City Council meeting earlier this month, heated debate over the city's proposed purchase act lasted until midnight, forcing council members to postpone their vote. Opponents called the proposed ordinance unconstitutional and said it amounted to a "hostile takeover" of people's houses, while supporters said it might be their only means of ever buying property. The City Council is set to revisit the item Wednesday.

Jennifer Liu, vice president of the homeowner-focused Business and Housing Network, worries that East Palo Alto's policy will prevent owners from selling to tech companies or their employees and getting the best price possible. She also worries the ordinance will bog down sales in months of red tape.

"Those are my lifetime savings for my retirement," Liu said of her real estate investments. "So my concern is that later when I need the money and I need to sell it, I cannot sell it. And the price would be discounted because of this policy. I am deeply concerned."

The ordinance wouldn't impact a huge number of sales in East Palo Alto, according to a city analysis. Owner-occupied single-family homes, duplexes and triplexes would be exempt. Based on historical sales data, fewer than 23 single-family homes and seven multi-unit buildings would be subject to the ordinance each year.

In Oakland, a group of tenants last week convinced their landlord to sell their Fruitvale building for \$3.3 million. The Oakland Community Land Trust is poised to buy it and help the tenants become partial owners. But the process took more than two years of rent strikes and protests, including a recent procession to the landlord's house.

Advocates say an opportunity to purchase ordinance could have made the process easier. And if one is passed, it could open up the chance to buy for more tenants.

"This is something that over a 10-year period, I think it could have a radical impact," said Leah Simon-Weisberg, legal director for the Alliance of Californians for Community Empowerment.

Oakland has been toying with the idea of an opportunity to purchase act since early last year, spurred by the activist group Moms 4 Housing, which skyrocketed to national

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Marisa Kendall, Bay Area News Group, December 23, 2021

### The city will do more research, resume discussions next month

Faced with vehement opposition by some landlords, East Palo Alto's City Council put off voting on an ordinance that would give renters a chance to buy their building before it hits the market.

The Opportunity to Purchase Act, intended to stop deep-pocketed investors from scooping up properties, raising rents, and displacing tenants, would allow renters, affordable housing nonprofits or the city first dibs on certain properties going up for sale. But on Wednesday evening, City Council members decided they needed more information about how the ordinance might affect housing prices and the real estate market.

"I think it has potential to really be great for the city," said Councilman Antonio López, "but I think those questions really have to be addressed."

Similar ordinances are in the works in Oakland, Berkeley and San Jose, as cities search for creative ways to ease their affordable housing shortages. But groups of vocal opponents throughout the Bay Area are up in arms over the proposals, arguing the rules will chill the real estate market and impinge upon owners' freedom to do what they want with their property.

The council Wednesday directed staff to conduct more research into the potential outcome of the ordinance, and report back Jan. 18.

Under the proposed East Palo Alto ordinance, owners of multi-family buildings and certain rental properties would have to notify their tenants, a qualified nonprofit and/or the city and give them a chance to make an offer before putting the property on the market. If the owner received an offer from one of those groups, he or she would be free to reject it in favor of a better one.

But the owner would then have to give the tenant, nonprofit or city a chance to match that better offer — and if they did, the owner would have to sell to them. If the tenant, nonprofit or city bought the property, they would have to keep rents below a certain threshold.

Owner-occupied single-family homes, duplexes and triplexes would be exempt from the rule, as well as property transfers between family members.

Councilman Carlos Romero also suggested exempting second homes and rental homes owned by people who live in East Palo Alto. That way, he said, the ordinance would

target the "absentee" landlords from out of town who own almost a third of the city's housing stock.

The City Council brought in Nora Lake-Brown, a consultant with David Paul Rosen & Associates, to speak about the economic implications of the policy. Because East Palo Alto's real estate market is so hot, she said, the proposed ordinance likely would

Property owners found to have knowingly or willfully violated the ordinance would be fined 10% of the sale price of their property for a first offense, 20% for a second offense and 30% for subsequent offenses.

Nearly 300 people tuned in to a virtual East Palo Alto City Council meeting earlier this month, during which public comment on the ordinance lasted until midnight. Supporters told council members the ordinance might be their only shot at buying a home, while landlords accused council members of taking away their property rights.

Opponents of the measure held a protest Sunday outside City Hall.

Romero on Wednesday accused some opponents of spreading "outright lies."

"The ordinance we are considering is not one that will devastate the property market," he said, "or for that matter will destroy all private property in the city."



*Tax planning and preparation for landlords*

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# What You Need To Know About the Alameda County Eviction Moratorium

Lisa K. Padilla, Zacks, Freedman & Patterson

The state's COVID-19 eviction moratorium expired on September 30, 2021 for everyone in Northern California, with exception of Alameda County. The Alameda County Eviction Moratorium protects tenants from all evictions unless they are being evicted

1. *because property owners are withdrawing units from the rental market (under the Ellis Act);*
2. *the eviction is necessary to comply with a government order;*
3. *the eviction is because a tenant is an imminent health or safety risk to other tenants, not including exposure to COVID-19.*

The Moratorium covers properties in unincorporated areas as well. The Alameda County Eviction Moratorium will continue for 60 days after the local public health emergency is declared over. As of the date of this posting, the local public health emergency is still in effect and there is no indication that it will end any time in the near future.

## What can you do now to collect rent?

First, you should try to obtain rental assistance for your tenants. Apply for rental assistance as soon as possible and encourage your tenants to apply for rental assistance as well. California's AB 832 (extension of the COVID-19 Tenant Relief Act) increased the amount of rental assistance paid to landlords from 80% to 100% for rent owed from April 1, 2020 through September 30, 2021 and possibly beyond that date. Landlords were required to send a notice about the extension of the COVID-19 Tenant Relief Act by July 31, 2021 to those residents who had outstanding rental payments as of July 1, 2021. If you did not do so, you should send the notice immediately.

If you have a tenant that has paid rent consistently and did not miss a rental payment until August or September 2021, then there is no harm in serving the notice now. The city of Oakland and the city of Fremont have their own emergency rental assistance programs, so you should file your applications now. All of these programs require the cooperation of the tenant so try your best to keep the lines of communication open. If your tenant outright refuses to respond or apply for state rental assistance, make a note of it and keep all your records regarding your communications. Such cases will likely be the only cases that may be able to obtain an eviction for non-payment moving forward. You will also need this information should you decide to file a small claims case for unpaid

rent whenever the local moratorium expires in Alameda County.

It is also important to note that AB 832 and the local moratoriums do not forgive COVID-19 rental debt. Instead they protect tenants from eviction for rent that became due between March 1, 2020 and September 30, 2021. Tenants are still liable for the unpaid rent. Landlords may want to consider filing small claims actions for unpaid rent. Effective November 1, 2021 through September 30, 2025, actions over the usual limit of \$10,000 may be brought in small claims court to collect COVID-19 rental debt. Code of Civil Procedure Section 116.223(b) (1). Former limits on the number of small claims cases that can be brought in a calendar year will be temporarily suspended to allow landlords to collect COVID-19 rental debt. Small claims court may prove to be a cost-effective method of obtaining a judgment for unpaid rent. How long such cases may take to move through the system is difficult to predict until we start to see it in practice. One of the main differences between small claims court and regular civil court is that attorneys may not appear on behalf of parties in a small claims action. The landlord and the tenant will appear and present their cases to a small claims judge. The judge has discretion to reduce the unpaid rent amount owed to a landlord if the landlord refused to cooperate with applying for emergency rental assistance programs and the tenant meets the eligibility requirements for such funding. Code of Civil Procedure § 871.10(b).

In fact, the landlord must also attach to the complaint documentation that the landlord made "a good faith effort to investigate whether governmental rental assistance is available to the tenant" and thereafter sought the assistance for the tenant or cooperated with the tenant's efforts to apply for assistance. Code of Civil Procedure 871.10(a). Landlords should apply for rental assistance now if they decide to file a small claims action on November 1, 2021 or afterwards. Code of Civil Procedure §116.223(b)(2) states that the court shall reduce the damages awarded for any amount of COVID-19 rental debt sought by payments made to the landlord to satisfy the COVID-19 rental debt, including payments by the tenant, rental assistance programs or another third party. This means that if a tenant appears in court and informs a judge that their application is pending, the landlord likely will not prevail (and should ask the court to continue the

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## Bay Area Rents by City (Zumper, December 2021)

RANKED HIGH TO LOW		1 BEDROOM			2 BEDROOM		
	City	Price	M/M%	Y/Y%	Price	M/M%	Y/Y%
1	San Francisco	\$2,810	0.4%	5.6%	\$3,850	1.3%	10.0%
2	Palo Alto	\$2,700	-1.8%	11.6%	\$3,550	-1.4%	4.1%
3	Mountain View	\$2,690	-2.5%	21.7%	\$3,220	-1.2%	5.2%
4	Emeryville	\$2,430	-0.8%	8.0%	\$3,020	-1.0%	7.9%
4	San Mateo	\$2,430	2.1%	10.0%	\$3,200	1.6%	5.6%
6	Sunnyvale	\$2,420	0.4%	15.2%	\$3,000	0.0%	12.4%
7	<b>Berkeley</b>	<b>\$2,310</b>	<b>-1.7%</b>	<b>14.9%</b>	<b>\$3,000</b>	<b>1.7%</b>	<b>4.9%</b>
7	San Jose	\$2,310	0.0%	10.5%	\$2,800	-0.4%	5.7%
9	Walnut Creek	\$2,290	0.4%	8.0%	\$2,830	-3.4%	6.0%
10	Redwood City	\$2,250	0.9%	2.3%	\$3,040	-5.0%	-5.3%
11	Fremont	\$2,220	1.4%	6.2%	\$2,650	-0.4%	6.0%
12	Campbell	\$2,200	3.9%	10.0%	\$2,780	0.0%	11.2%
13	Santa Clara	\$2,160	-4.8%	8.0%	\$2,710	-0.4%	-1.5%
14	Oakland	\$2,030	0.0%	4.10%	\$2,670	-1.1%	4.3%
15	Alameda	\$2,000	-2.4%	0.5%	\$2,500	0.0%	-2.3%
16	San Leandro	\$1,920	-4.0%	5.5%	\$2,540	5.0%	11.9%
17	Hayward	\$1,910	0.5%	1.6%	\$2,360	0.4%	2.6%
18	Concord	\$1,890	5.0%	11.2%	\$2,250	0.9%	8.2%

*The Zumper San Francisco Metro Area Report analyzed active listings that hit the market last month.  
Listings are aggregated by city to calculate median asking rents*



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## Experts Predict What's Next for the Bay Area Real Estate Market in 2022

*Tessa McLean, SFGATE, December 29, 2021*

When the COVID-19 pandemic hit the Bay Area, many expected the real estate market to tank. While it certainly slowed for a bit as open houses were prohibited and residents stayed in their homes, it quickly picked back up, fueling a competitive market with low inventory and a strong set of buyers rethinking their living spaces. That continued into 2021 as the suburbs stayed king, demand outstripped supply, and, at least in the Bay Area, many residents have yet to return to an office. Now, with a still very uncertain future ahead of us, what's next for the Bay Area housing market? We talked with local experts in the home buying and rental market to get their opinions on what's to come.

### **Rent will probably go up**

As the home buying market reached new heights over the past year and a half, the rental market in San Francisco, Oakland and San Jose did the opposite. These Bay Area cities are some of the only places in the country where rent has yet to creep back up to pre-pandemic levels, even allowing San Francisco to lose its throne as the most expensive rental market in the country to New York, according to Zumper. Experts have speculated that's due to the Bay Area's embracing of remote work amid the pandemic, though many offices won't stay closed forever.

"General inflation will probably push rent up eventually, but if offices keep getting pushed back that will still keep them down relatively," Zumper data journalist Jeff

Andrews said. "The fundamentals are all pointing to rent going up again."

He also expects some of the seasonality of the rental market to return this year, after being more volatile since early 2020.

While Zumper found that New York City surpassed SF as the most expensive rental market in 2021, "San Francisco still stands out as the most expensive market on our platform," said Rob Warnock, research associate at Apartment List. "But, the Bay Area is the last remaining place where there is a discount," he said. "... That said, I think prices are going to go up again in the early parts of [2022]."

Warnock said since the Bay Area has been one of the places most amenable to remote and flexible work, it also could affect trends across SF neighborhoods. Prices in areas downtown, like SoMa, may still remain at a deep discount while more western neighborhoods like the Sunset may keep their slightly inflated rates.

### **Space is still a must**

"Zoom rooms" and Peloton bikes became must-haves as the pandemic wore on, and none of the agents we spoke with saw that going away anytime soon. "I'm not seeing the desire for home offices or gyms go away at all," Hatvany said. "It's become a very locked-in thing. It's a complete essential in ways that it never was."

## *Cruel Musical Chairs (Or Why is Rent So High?)*

*Dan Bertolet, Sightline Institute, October 31, 2017*

### **A simple reason is: we don't have enough places to live**

How does a growing, prospering city stay affordable for all kinds of people? At the most basic level, when there aren't enough homes, prices will keep rising. And when there are plenty of homes, it helps prices stay down.

It's like a huge game of musical chairs. If there aren't enough chairs when the music stops, someone is left out. When there aren't enough homes for people who live and work in a city, everybody has to compete for what's available, and rents go up until people get priced out. In the housing market, instead of being fast, you just need to be rich to stay in the game.

To fix it, we need more homes in all shapes and sizes. That means more cottages, apartments, duplexes, triplexes,

condos, and mother-in-law units. More homes allows more people to stay and thrive in their communities. It means more people can afford to live near jobs, great schools, and transit.

Encouraging a variety of homes that fit a variety of people's needs isn't the only solution to keep rent and home prices down, but it's an essential foundation for affordability. It's the necessary building block on which all kinds of other community protections, anti-displacement measures, affordable housing investments, and neighborhood improvements are built.

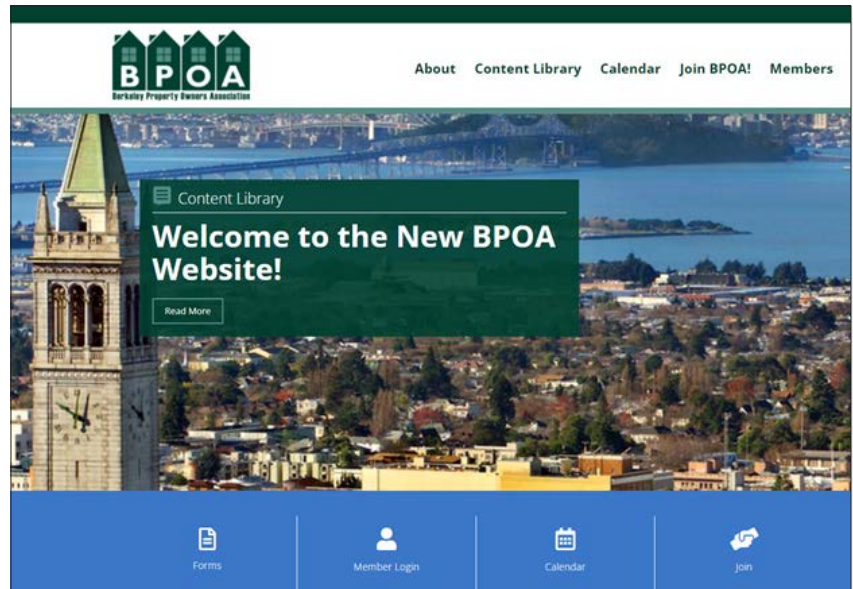


## BPOA Has a Brand New Website!

BPOA launched its new website in January. Designed to be your one-stop-shop for all things related to Berkeley rental housing, it offers members-only access to forms, webinar playbacks, newsletter issues, and an easy way to renew your membership online. All members will need to set up a new login account. To gain access to your Member Compass™ account, follow these simple steps:

1. Go to [www.bpoa.org](http://www.bpoa.org); click on Members in the top navigation menu.
2. Click on Members Login.
3. Enter the email address you typically use to login to the website.
4. Click the Set Password button and walk through the steps to create your new login.

If you experience any problems, please call our office at 510-525-3666 and we will walk you through the process!



*Starting in Spring 2022, we hope to be able to do an in-person meeting every other month, sprinkled with plenty of educational webinars in between!*

*Be sure to check out calendar regularly for location announcements.*

**<https://www.bpoa.org/events/>**

DATE	TOPIC
January 12, 3:00 pm	Cruising the New BPOA Website: A Member Tutorial
January 19, 5:30 pm	How'd We Get in This Mess? A Political History of Berkeley Rent Regulations
February 2, 3:00 pm	Leasing in 2022 & Other Best Practices
February 16, 3:00 pm	Collecting Rent Electronically: Best Practices in New Technology

*And...check out our Landlord 101 series. Whether you're new to rental housing or just want to brush up on your skills, we'll teach you the basics of being a landlord in Berkeley. Each month we take on two topics in depth, examining everything you need to know to manage your own property. Check the BPOA calendar for more details.*

consideration ought to be given to reconstituting the role of the police in society. This may just work better; it would almost certainly be cheaper as well. It would not be an easy transformation. Triage for 911 operators would be difficult. With limited information, submitted telephonically under stress, it may be impossible to achieve proper dispatch of professional help.

The jokes are already here: *This is 911. What is your issue? For a police officer, press one; for medical attention, press two; for a social worker, press three; for Dr. Phil, press four; for the Dalai Lama, press five.*

All jokes aside, there are many instances where the police respond but are not prepared, by disposition or training, to intervene. A bit of reassignment of public safety funds may well prove to be both beneficial and economic. Thoughtful efforts in this regard would be welcome.

*Congratulations to the 2022 Board of Directors, seated at the January 5 Annual Membership Meeting.*

Bahman Ahmadi

Alison Simon

Will Flynn

Sam Sorokin \*

Richard Genirberg

Albert Sukoff

Celia Karian \*

Mark Tarses

Sid Lakireddy

Paul Tuleja

Margot Rose Lederer \*

Jon Vicars

*\* new members for 2022*

Per the association's bylaws, the executive officers will be elected at the board's January board meeting. BPOA appreciates the service of our board members and look forward to working with them in 2022!

## QUOTE OF THE MONTH

*The right to be heard does not automatically include the right to be taken seriously.*

— Hubert H. Humphrey

## JANUARY ZOOM MEETINGS

***Cruising the New BPOA Website: A Member Tutorial***

**Wednesday, January 12, 3:00 pm**

***How We'd Get in This Mess? A Political History of Berkeley Rent Regulations***

***with Krista Gulbransen, Executive Director***

**Wednesday, January 19, 5:30 pm**

*In-person member education meetings will resume in 2022 on an every-other-month schedule alternating with webinars*

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

**BPOA WORKSHOPS — Go Beyond the Basics**

fame when members started squatting in a vacant house with their children. Progress stalled during the pandemic, but Councilwoman Carroll Fife plans to bring the idea back for a vote next fall.

In Berkeley, Mayor Jesse Arreguin put discussions around a proposed tenant opportunity to purchase act on hold, after significant pushback. The city expects to present an updated version early next year.

Mayor Sam Liccardo said the city wants to make sure the measure won't grind the housing market to a halt. After all, taxes on real estate transactions help fund affordable housing, he said.

"We need people to be able to engage in the market without thinking, hey, in San Jose you're never going to be actually able to transact a sale because of the red tape," Liccardo said.

Community group SOMOS Mayfair, which held a rally in support of an opportunity to purchase ordinance outside San Jose City Hall last week, is pushing officials to vote by February.

"We're hoping that this policy will give folks the opportunity to remain in the communities that they currently are, remain in the housing that they currently are," said Andrea Portillo, community organizing and policy manager for the group, "and not be displaced once their property is sold."

hearing to a date after the program decides whether the tenant qualifies).

What can you do with your money judgment? California allows the judgment to last 10 years and judgments can be renewed for an additional 10 years if the Landlord creditor renews it in a timely manner. When judgments are renewed the interest that has accrued will be added to the principal amount owed. Landlords might consider using the judgment as a bargaining tool in the negotiation of a possible "cash for keys" or buyout agreement with their tenant. (Of course, before discussing a possible buyout agreement with tenants, landlords are required to provide the tenant with disclosures of tenant rights such as the right not to enter into a buyout agreement and the right to consult an attorney.) Tenants' rights and required disclosures are different for each county, so landlords are encouraged to consult with an attorney prior to discussing the topic with their tenants. As before the pandemic, buyouts continue to be an effective tool to resolve disputes and safely conclude the landlord-tenant relationship, with the landlord recovering possession of the rental unit.

*The attorneys at Zacks, Freedman & Patterson can assist you navigate eviction moratoria and other real estate matters. [www.zfpplaw.com](http://www.zfpplaw.com)*

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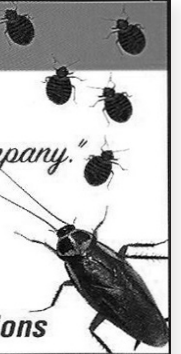
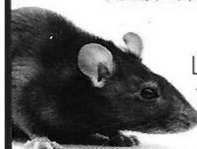
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## Berkeley Property Owners Association

### JAN & FEB ZOOM EVENTS

*How We'd Get in This Mess? A Political  
History of Berkeley Rent Regulations  
with Krista Gulbransen, Executive Director*

Wednesday, January 19, 5:30 pm

*Leasing in 2022 & Other Best Practices  
with Sam Sorokin, Premium Properties*

Wednesday, February 2, 3:00 pm

### LANDLORD 101 SESSIONS:

*Are you a new member or new to being a landlord? In 2021 we are hosting a Landlord 101 for new rental 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.*



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