

JAN
2023



*The Advocate for
Berkeley's Rental Housing Providers*

Founded 1980 • Charter Member, California Rental Housing Association
2041 Bancroft Way, Suite 203, Berkeley, CA • www.bpoa.org

M
O
N
T
H
L
Y

Eviction Moratoriums Screw Tenants

Mark Tarses, President, BPOA

On the surface, it may seem like eviction moratoriums for nonpayment of rent benefit tenants and screw landlords. In the short run, that is true, however, in the long run, it will be the tenants who get screwed, and screwed big-time.

At some level, everyone knows that eviction moratoriums can't last forever. Eventually, a tenant who isn't paying his rent will have to move out, and when that happens, the landlord's troubles with that tenant ends and the tenant's troubles begin.

An eviction moratorium does not wipe out a tenant's legal obligation to pay the back rent after he leaves. He still owes all of his unpaid rent plus late fees and interest. That information will get into the tenant's credit report and can have terrible consequences.

That tenant may want to get a job that requires a credit check, as many jobs do, and he won't get the job. He may want to buy a home but won't be able to get a mortgage. He may want to borrow money to buy a car. Once a person has wrecked his credit, he has wrecked his future. To make matters worse, the landlord could also hire a collection agency to recover the unpaid rent. Debt collectors can be very unpleasant people to have to deal with.

And one last thought... You may have seen TV commercials for 'credit repair' companies, companies that claim that, for a fee, they can get negative information out of your credit report. 'Credit repair' is a scam. If there is negative information in your credit report, and the information is accurate, there is nothing that they or you can do to get it out.

JANUARY EVENTS

***Annual Membership Meeting,
Elections & Political Update***

Thursday, January 5, 5:00 pm

You're the Successor Trustee...Now What?

Wednesday, January 18, 3:00 pm

California Energy Smart Homes

Thursday, January 19, 3:00 pm

Year-End Close-Out & Tax Preparation

Thursday, January 26, 3:00 pm

See pages 13 & 14 for details & more events!

Issue Highlights

<i>Editorial.....</i>	<i>Page 2</i>
<i>Coalition Corner</i>	<i>Page 3</i>
<i>When a Tenant Dies.....</i>	<i>Page 4</i>
<i>Nonprofit Builders Hope to Repeat.....</i>	<i>Page 5</i>
<i>19 Million Renters Burdened by Housing Costs...Page</i>	<i>6</i>
<i>The Nuts & Bolts.....</i>	<i>Page 8</i>
<i>West Berkeley 99¢ Store to Close</i>	<i>Page 10</i>
<i>The 50 Best College Towns in America</i>	<i>Page 11</i>
<i>Are Rentals the Future of Real Estate in CA?</i>	<i>Page 12</i>
<i>Monthly Event Calendar</i>	<i>Page 13</i>
<i>BPOA Event Details.....</i>	<i>Page 14</i>
<i>California 2022 Election Results.....</i>	<i>Page 16</i>



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.

2023 Board of Directors

Mark Tarses, President
Sid Lakireddy, Treasurer
Jon Vicars, Vice President
Richard Genirberg, Secretary
Bahman Ahmadi
Will Flynn
Celia Karian
Alison Simon
Sam Sorokin
Albert Sukoff
Paul Tuleja

Editor:

Albert Sukoff

Executive Director:

Krista Gulbrandsen

Deputy Director:

Tiffany Van Buren

Our Office Location:

2041 Bancroft Way, Suite 203
Berkeley, CA 94704
Phone 510.525.3666
Email bpoa@bpoa.org
Website <http://www.bpoa.org>

Office Hours:

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

Editorial

Sins of the Father

Albert Sukoff, Editor

The following paragraph is read into the record at every meeting of the Berkeley Rent Stabilization Board:

Land Acknowledgment Statement: The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xu?yun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-lownee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.

There you have it. Your Berkeley property is an occupation of unceded land stolen from the indigenous people who resided here for 5,000 years before you and your ilk came in and took it away from them. The only logical conclusion one can draw from this declaration is that reparations are in order and that you should give the land back.

As usual, the real world is little more complicated when examined more closely.

First of all, there is probably not a square foot of occupied land on the planet that was not occupied at one time in the past by someone other than the current occupant. The point here is not that one group seizing the land of another is okay. It may be or it may not be. Transfer of control of land may be peaceful or it may be violent. One group may overpower another with physical force or they may peaceably overwhelm them with greater reproductive acumen over time. The point is that, for whatever reason, all territorial claims to land have always been and will always be transitory. If not, at what point in time would you freeze territorial rights for all time?

Mankind has been tribalized from the very beginning. Tribes were essential to the development of the human species. That land is currently controlled and occupied by a tribe whose occupancy only dates back so far is very much the norm.

So... Who has the right to a given territory? Does the spit of land at the eastern end of the Mediterranean belong to the Jews because their ancestors lived there 3,000 years ago, or does it belong to the Arabs who had control 1,000 years ago? Well, take your pick.

Should recognized past territorial conquests be reversed? If so, how far back do you go? What were the circumstances? Who were the villains? Who were the victims? In short order, historically speaking, the perpetrators and their victims are all dead. Do the descendants of the perpetrators owe a debt to the descendants of the victims? Do the sins of the father extend to the son?

Historic misdeeds perpetrated by one group of dead people upon another group of dead people are not so easily corrected. Should all Bay Area land be turned over to a couple hundred or a couple thousand identifiable Ohlone descendants? Does the current Russian government owe me reparations because Cossacks drove out my ancestors from their homes a hundred or so years ago?

Over time, control over land has become a formalized legal construct. Ownership is sanctioned by some authority. It was not always so. Land in California is ownable

continued on page 16

❖ THE COALITION CORNER ❖

Krista Gulbransen, BRHC Executive Director

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

Another year under the belts of rental housing owners in Berkeley. While it's been continued rough weather for those whose tenants are not paying rent and are protected by the Eviction Moratorium, we have managed to hold back quite a bit of legislation over the year.

The Berkeley Rental Housing Coalition successfully defeated:

- Attempt to eradicate **Golden Duplex** and **Accessory Dwelling Unit** exemptions by nature of a ballot measure.
- Proposal of the (TOPA) a regulatory ordinance that would give tenants the First Right of Refusal and Offer when you go to sell your property.
- Legislation to allow tenants to **add subtenants without authorization**.
- Desire to remove the **10% rent increase** owners are permitted when additional tenants are added to the lease.
- A \$650m bond measure that would have **increased your property taxes** — again.

In a city as small as Berkeley, the damage rental housing legislation can do to owners is extraordinary. This is because the majority of owners of Berkeley's rental housing are small, independent rental operators who are often working on small profit margins. We regularly work to protect the interests of all rental housing providers because any harmful legislation effects *all* rental housing owners. We also recognize that if you live on site with your tenant, harmful legislation is particularly damaging.

2023 Outlook

Just because we've prevented a round of legislative mayhem doesn't mean we won't be up for repeated fights on that same legislation. Here is some of the buzz we are hearing when it comes to future legislation:

- Tenant Opportunity to Purchase Act — continued efforts by social housing activists to push legislation that would ultimately devalue your property and lengthen the time it would take to sell it.
- First in Time — a policy that would force you to take the "first qualified tenant" that applies for your vacant unit. This legislation has been in effect in Seattle for a number of years, was litigated (unsuccessfully), and was previously attempted in Berkeley (we defeated it).

- No Credit Score Consideration — similar to the Fair Chance Ordinance in which a rental property owner cannot take criminal background into consideration for an applicant, an owner would not be able to use credit score as an indicator of tenant worthiness. While many of us can agree that the U.S. credit score system is a mess, it is one of the few indicators we have of a tenant's ability or likelihood to pay rent.
- Reduction or Elimination of 2023 AGA — we are already battling this possible attempt to wipe out your annual allowable rent increase, courtesy of Rent Board Chair Leah Simon Weisberg. We believe this would be an illegal move by the City Council and have threatened to sue. The Allowable General Adjustment was voted in by Berkeley voters in 2004 and should remain a voter-approved policy.

Join us at our Annual Membership & Political Update meeting on January 5 at 5:00 pm. This meeting will be via Zoom, and you must register through your online Member Compass account.

COMPASS



Realtor Angela



Scan the QR code to add me as a friend.

OFFERING RESIDENTIAL & COMMERCIAL REAL ESTATE EXPERTISE

I am by your side - all in, always! Being a part of my client's life as they make life-altering decisions is my privilege, my responsibility and something I will never take for granted!

Angela Xu, Realtor & Broker Associate
REALTOR® | DRE# 01981330

angela.xu@compass.com

Dealing with the Death of a Tenant: California Laws

Steve Penny, Fast Eviction Service

Death is a difficult subject for all of us to talk about. Dealing with family members or loved ones who are grieving is especially delicate and difficult.

Any landlord who has had to deal with the death of a tenant knows this can be a major disruption of a landlord's income depending upon the circumstances of the death and if they were on a month-to-month or fix term lease.

First and foremost, it's important to understand that the death does not terminate the tenancy. It's crucial to be respectful of the dead person's loved ones — but at the same time take steps to protect yourself until an executor is named.

The landlord is responsible for protecting the tenant's property just as if they were alive until that responsibility can be transferred to an executor. It's essential to know and follow the laws carefully or potentially end up in lawsuits and delays in recovering possession of your rental property ready to be rented again.

How the Death Occurred

The landlord will usually find out about a tenant death in one of two ways. Either you will be contacted by the tenant's family, or the body will be discovered on the property.

If the body is discovered on the property contact the police immediately. Leave everything on the scene untouched for the police investigation. They will take responsibility for contacting next of kin, which is usually the emergency contact information the landlord possess that the tenant provided with the rental agreement.

In a worst-case situation, the body was in the rental unit for several days before it is discovered and the stench of putrefaction can give off a powerful and overwhelming smell. This odor will permeate everything in the unit and will require extensive professional cleaning by a biohazard specialist — as well as time — to go away and enable it to be rentable again.

It's highly unlikely you will be able to find another tenant to rent it until the smell is gone. How long that will take is hard to predict. This unpredictability has bearing if the tenant was on a fix term lease and time is needed through the entire lease period for the smell to go away and rent continued to be paid by the tenant's estate.

If the death was the result of a homicide, the landlord could be facing days, weeks even months of police investigations to complete. Legal counsel should be sought to get it expedited as quickly as possible.

Landlord Responsibilities

The fixed term lease or month-to-month rental agreement is not terminated automatically as a result of the death.

The landlord does not have the legal right to reposes the property or remove the tenant's possessions.

The landlord does have the right, and most would say the responsibility to secure the property locking all doors and windows and changing locks if local laws allow that in these circumstances. Crucial to understand that this is the most important way for a landlord to protect themselves from relatives saying valuables were removed.

Because there is usually a lapse of time between the death is known and the executor or the tenant's estate is named by the court it is at the landlord's discretion who is given access during this period.

This responsibility is usually sprung upon the executor unexpectedly. So, it can usually take some time coming up to speed attending to all the details this responsibility suddenly entails. That should be expected but can also delay the process of the landlord repossessing the rental.

It is natural and should be expected for family members to want to come to the property and recover things of sentimental value like photographs to be used in a memorial. However, its very important for the landlord to protect themselves and avoid becoming embroiled in family disputes in how they permit access or allow property to be removed before an executor is named and has taken possession of the rental by giving them the key.

It's a sad fact of life that many families break up dividing up property after a death. People may not be thinking straight grieving or have selfish opportunistic motives.

Until the executor has possession of the key, the landlord has a responsibility to prevent illegal entry to the property. However, this can be a very difficult time for people close to the deceased and its important for the landlord to be flexible if possible for example, for items to be removed for a memorial of the deceased.

If their request sounds reasonable and you want to allow them entry, always accompany the family members who ask for access. A full accounting with a list and ideally photographs makes a clear record who took what. Entry is at the landlord's discretion until the executor has the key.

If pets are left on the property, animal control can be called.

continued on page 9

Can Nonprofits Repeat Fast, Cheap Housing Project?

By J.K. Dineen, *San Francisco Chronicle*, December 20, 2022

The group of nonprofits behind this 145-unit supportive housing complex at 833 Bryant St. is trying to replicate the cost savings in a project at 1633 Valencia St. in the Mission District.

As San Francisco struggles to figure out how to build enough affordable housing to help get homeless people off the streets, experts and officials have looked at different ways to build faster and cheaper.

New data released Friday shows that at least one recent project, a South of Market supportive homeless complex, was completed 41% faster and 41% cheaper than comparable supportive housing developments.

Now the same group of nonprofits behind that project wants to build a nearly identical project — this time in the Mission District.

The difference is that the first project was done using modular construction techniques — basically units built in a factory and delivered to the site — and this one will be built using conventional construction.

Mercy Housing, in a partnership with poverty-fighting nonprofit Tipping Point Community and the San Francisco Accelerator Fund, plans to build 145 supportive housing units at 1633 Valencia St., where Sequoia Living is planning to construct another 130 units for low-income seniors.

The project will attempt to replicate the cost savings achieved at the 145-unit Tahanan development at 833 Bryant St., which cost \$377,000 a unit and welcomed its first residents in July 2021.

Despite inflation driving up the cost of materials and labor, the nonprofit partnership is aiming to deliver the 1633 Valencia St. project for less than \$450,000 a unit with conventional construction. This comes as other affordable housing projects with conventional construction in San Francisco are projecting costs of almost \$1.2 million a unit.

“We are basically taking floor plan and design from Tahanan and replicating it,” said Rebecca Foster, CEO of the San Francisco Housing Accelerator Fund.

The reason the group decided not to use modular construction in the Mission is that while using modular helped speed up construction at 833 Bryant St., it’s not clear that it was part of the cost savings, Foster said.

And by not using modular on Valencia Street, Mercy will avoid political opposition from the building trades, who

oppose factory-built housing, as well as try to demonstrate that it’s possible to drive down costs using traditional construction methods.

The project comes as there’s enormous pressure on San Francisco officials to deal with the city’s homelessness crisis. Despite numbers dropping 3.5% over the last three years, the problem remains visible and vexing with at least 7,800 people unhoused, according to a one-night count done earlier this year.

The new report on the Bryant Street project, from the Urban Institute and the California Housing Partnership, takes an in-depth look into the methods behind the savings and how they might be applied in the future.

The report found that the project was able to save money by making the studios small and efficient. Every unit is 260 square feet, about one-third smaller than a typical supportive housing studio. It also took less than three years from approval to move-in. Typically, affordable housing projects take about five years to win approval and build, sometimes longer.

The project used what’s known as a “design-build” approach to construction where the contractor, designers and subcontractors work as one team to save money and time.

“A commitment to the time-line and cost goals permeated the decision-making process at every phase of the project,” states the report.

Tipping Point Community seeded the project with a \$50 million philanthropic grant, which allowed the city to bypass the lengthy process of obtaining tax credits, which finance most affordable housing.

The project used the Tipping Point money to acquire the site and for some of the development costs, along with a

continued on page 8



Bayside Pest Elimination

Helmut Tutass Owner/Operator
OPR 11473, PR 6778

"Your Green Pest Management Company."

510-717-3506
LICENSED • BONDED • INSURED
1474 University Avenue, Suite 148
Berkeley, CA 94702

Specializing in Bed Bug Solutions

www.BaySidePestControl.com

More Than 19 Million Renters Burdened by Housing Costs

United State Bureau of the Census Release, December 08, 2022

Over 40% (19 million) of renter households in the country spent more than 30% of their income on housing costs during the 2017-2021 period, according to new American Community Survey (ACS) 5-year estimates released today by the U.S. Census Bureau. Households spending more than 30% on housing costs, including rent or mortgage payments, utilities, and other fees, are considered housing cost burdens according to the Department of Housing and Urban Development's definition of affordable housing.

At the county level, 239 or 7.6% of the nation's 3,143 counties had a median housing cost ratio for renters above 30%. More than half of households with income and paying rent faced housing cost burdens in these counties. Nearly a third of all renters in the nation lived in these counties. In 18 counties, homeowners with a mortgage had a median housing cost ratio above that of renters. That means the median household with a mortgage had higher financial burden than the median household that paid rent in these counties. The hardship caused by the rise in housing costs persisted despite increases in median household income.

The U.S. median household income for the 2017-2021 ACS 5-year period was \$69,021. Median household income, adjusted for inflation to 2021 dollars, in the United States increased 10.5% from \$62,460 in 2012-2016, the most recent nonoverlapping 5-year period. The rise in median income was not proportionate across all counties, however. Between 2012-2016 and 2017-2021, nearly half (1,374) of all counties experienced an increase in median household income, while more than half (1,699) of all counties did not have a statistically significant change. Most (74.1%) counties had a median household income lower than the national median, while 13.2% of counties had a median household income higher than the national median.

Additional highlights from the newly released estimates:

Poverty

- The U.S. poverty rate decreased from 15.1% in 2012-2016 to 12.6% in 2017-2021.
- From 2012-2016 to 2017-2021, 1,220 counties (38.8%) had decreasing poverty rates and 75 counties (2.4%) had increasing poverty rates.
- The poverty rate for those under age 18 decreased from 21.2% in 2012-2016 to 17.0% in 2017-2021.

- Compared to 2012-2016, 1,017 U. S. counties had declining poverty rates for those under age 18, while 87 counties had increasing poverty rates in the 2017-2021 period.

Families and Living Arrangements

- The percentage of households with one or more people under 18 declined from 32.0% in 2012-2016 to 30.6% in 2017-2021.
- The percentage of households with one or more people age 65 and over increased from 27.4% in 2012-2016 to 30.2% in 2017-2021.
- Nationally, among grandparents living with their own grandchildren under age 18, the percentage of grandparents responsible for their grandchildren declined from 36.5% in 2012-2016 to 32.7% in 2017-2021.

Average Rent

in 25 College Towns

CITY	RENT
Santa Cruz, CA	\$3,900
San Luis Obispo, CA	\$3,600
Boulder, CO	\$2,900
BERKELEY, CA	\$2,850
Davis, CA	\$2,650
New Brunswick, NJ	\$2,595
Ann Arbor, MI	\$2,400
Eugene, OR	\$1,850
Corvallis, OR	\$1,800
Fayetteville, AR	\$1,700
State College, PA	\$1,600
Auburn, AL	\$1,500
Norman, OK	\$1,495
Columbia, SC	\$1,440
Lexington, KY	\$1,425
Lawrence, KN	\$1,400
Iowa City, IA	\$1,350
Pullman, OR	\$1,300
Provo, UT	\$1,300
Logan, UT	\$1,268
Orono, ME	\$985
Ames, IA	\$945
Moscow, ID	\$850

California Cities: Top Ten in Wages (and Berkeley)

	City	Population	Employees	Total Wages	Ret./Health Benefits	Total Labor Cost	Cost Per Employee	Cost Per Resident	Employees Per 1000 Pop.
1	Los Angeles*	3,819,538	65,261	\$6,109,152,580	\$2,170,933,344	\$8,280,085,924	\$126,876	\$2,168	17.1
2	San Francisco**	842,754	38,403	\$4,097,629,775	\$1,311,749,873	\$5,409,379,648	\$140,858	\$6,419	45.6
3	San Diego	1,374,790	12,305	\$963,764,091	\$204,660,433	\$1,168,424,524	\$94,955	\$850	9.0
4	San Jose	976,482	8,162	\$780,412,280	\$182,658,391	\$963,070,671	\$117,994	\$986	8.4
5	Oakland	424,464	5,790	\$546,140,072	\$265,634,149	\$811,774,221	\$140,203	\$1,912	13.6
6	Long Beach	460,682	6,523	\$497,729,514	\$116,018,016	\$613,747,530	\$94,090	\$1,332	14.2
7	Sacramento	518,037	5,564	\$383,931,261	\$98,960,745	\$482,892,006	\$86,789	\$932	10.7
8	Fresno	543,660	4,605	\$314,580,292	\$93,898,699	\$408,478,991	\$88,703	\$751	8.5
9	Anaheim	341,245	3,044	\$244,020,086	\$54,244,167	\$298,264,253	\$97,984	\$874	8.9
10	Riverside	317,847	2,524	\$242,750,607	\$62,999,338	\$305,749,945	\$121,137	\$962	7.9
	BERKELEY	124,563	2,000	\$153,693,774	\$87,156,070	\$240,849,844	\$120,425	\$1,934	16.1

* includes major international airport

** city and county, includes major international airport, Hetch Hetchy water system plus county functions: sheriff, jail, courts, welfare, etc.



trashscouts.com • 510.788.0462

510 3rd Street #200B, Oakland, CA 94607



Safely & Reliably transport your heavy or difficult to move trash dumpsters to the curb for pickup day



Tiffany Van Buren, BPOA Deputy Director

Safeguarding Your Rental from Cooking Fires

Did you know that the leading cause of residential fires is cooking fires? They spread quickly and account for 10% of residential fire-related deaths in the US. What makes kitchens so dangerous? Here are five things that can make a kitchen a danger zone:

1. Unattended active burners
2. Combustible items nearby
3. Children, pets, or too many people in the kitchen
4. Hot pans or handles
5. Grease and oil spills, drips, and residue

I'm sure each of your units is equipped with smoke detectors and there are fire extinguishers nearby (as required by law.) But the optimal strategy is to put that fire out *before* it has time to spread. Suppose a tenant is frying chicken and is interrupted by a knock on the door. They walk away momentarily, only to return to find a raging grease fire. Can you trust them not to panic? Will they have the wherewithal to calmly retrieve the nearest fire extinguisher, return to the kitchen, then know how to deploy it safely and effectively?

One good added precaution is to equip each rental unit's kitchen with a B Class fire extinguisher. Keeping them close at hand is a great way to reduce response time. In my units I mount them inside the sink cabinet and check them annually during my RHSPs. However, there is another option worth considering: **a fire suppressor.**

StoveTop FireStop, a company that's been "protect-

ing residential kitchens from the devastating effects of cooking fires since 1972," has a product called FireStop Rangehood. These small tuna-can shaped canisters are filled with fire-suppressant powder and attach to your rangehood, either with a magnet or an adhesive. Solid in pairs, one set of Rangehood canisters will protect a typical four burner stove from stovetop fires spreading, even in an unattended kitchen. Rangehood canisters deploy automatically when the flame from a cooking fire comes in direct, sustained contact with the fuse on the underside.

If you've ever seen a stovetop fire, you know how high those flames can reach in a matter of seconds! Even if the suppressant doesn't completely extinguish the fire, it could buy valuable time to grab and deploy the fire extinguisher.

Now that fire is on your mind, it's probably a great time to make sure you have sufficient fire coverage on your building's insurance policy! While speaking with your agent, ask them if your provider offers a discount for outfitting your units with

fire suppressant devices; some providers even cover the cost of purchasing them.

Lastly, Lemonade, a company that offers low-cost Renters Insurance, has a great article about kitchen safety you can share with your tenants by sending them this link:

rb.gy/y6gewe. If they're swayed to buy a policy while on the website, that's a bonus.



from page 5

Nonprofit Builders Try for Repeat

30-year tax-exempt loan. Rather than securing an upfront capital loan through the Mayor's Office of Housing and Community Development, the city is providing an annual property lease payment that covers debt service for the loan. The city's commitment to pay off the loan allowed the development group to redeploy \$42 million of the Tipping Point money into the Valencia Street development.

"We will be able to recycle the bulk of the \$50 million into this project," Foster said.

By not accepting city money, Mercy and its partners avoid

several layers of city bureaucracy, which add time and cost to a project. It didn't have to follow local contracting requirements, get approvals from the Mayor's Office on Disability, or undergo prevailing wage monitoring.

The "turnkey financing model" means that the city "pays for a mostly completed project without the ability to second-guess design and construction choices," according to the report.

The report suggests that the model could be more broadly applied to get supportive housing built faster and cheaper.

Once the court names an executor — and be sure you see proof of executor status — give that person the key. They then have responsibility for access until the lease agreement ends or is terminated. This then becomes the person the landlord deals with regarding rental payments and removal of personal property.

Length of Remaining Tenancy

In California, if the tenant was on a month-to-month the tenancy terminates 30 days after their death. The estate is responsible for paying any rent through the end of the 30-day period after notice of death is received.

It becomes more complicated with long term leases. Under California Law, the executor is responsible for paying rent through the remainder of the lease period.

However, most executors want to end the payments as soon as possible, and most landlords want to get the unit rented out again. In this circumstance, its best to try to work with the executor and treat the situation like a broken lease agreement where the estate is responsible for rent until the landlord is able to clear, clean and re-rent the property.

It is important to be clear and provide a letter to the family stating the duration of the tenancy so they know how long they have to empty the rental space.

Security Deposit

The security deposit may go towards rent, property damage and cleaning costs. If the cleaning deposit was not enough to cover the unexpected costs of cleanup after a death in the unit, provide the executor with a detailed list of expenditures and submit a claim to the estate through the probate court. If a portion of the security deposit is left over, a check can be sent to the executor for the amount made out to “The Estate of Deceased’s Name”.

Once the property is cleared and cleaned, the landlord should ask for a “release to the rights of possession” letter. Once that is received, the landlord is then able to re-rent the property.

What if No Executor is Named?

This is a difficult situation for the landlord. Just because the next of kin may not be known, they could potentially show up three years from now wanting to know, “Where is my relative’s diamond ring?” In this circumstance it’s crucial for the landlord to protect themselves and act in full compliance with California Civil Code — CIV § 1951.3 regarding abandonment of property.

If the property goes unclaimed and the personal items

are valued at less than \$700, the landlord may dispose of the property. If the value of the personal items are \$700 or more, the landlord must sell the items at a public auction in California. The funds from the auction can be used to pay for storage of the property and the remaining funds must be sent to the County where the rental unit is located.

If the tenant is dead and no longer paying rent, eviction is also a possibility to regain possession of the property. However, this is an expensive process.

Three Year Rule

Under California Civil Code § 1710.2, for the next three years if asked, the landlord must disclose to any prospective tenant who views the property that a previous tenant died there. The landlord is required to explain the circumstances of how the person died unless the death was HIV/AIDS related. If a tenant died of AIDS or related illnesses, the landlord does not have to disclose the tenant’s medical condition at the time of death.

Conclusion

Knowing a California landlord’s responsibilities and potential liabilities to avoid mistakes is key to being prepared for this unfortunate but inevitable reality.

While the landlord of course wants to regain their property and square accounts for any losses, it is important to remember the family is grieving and probably have little or no experience handling an estate. This takes patience on the part of the landlord to best handle what is inherently a very difficult situation and avoid doing anything that can make it worse for everyone involved.



Beacon Properties

**Careful, Conscientious
Property Management**

Aaron Young, Broker

466 40th Street, Oakland CA 94609

aaron@beaconbayarea.com

West Berkeley 99 Cents Store to Close, Housing Planned

Supriya Yelimeli, Berkeleyside, Oct. 26, 2022

A seven-story multiplex with about 270 homes has been proposed for the site. The store is inside the 100-year-old Rivoli Theatre, which operated until the late 1950s.

The 99 Cents Only Store inside the 100-year-old Rivoli Theatre on San Pablo Avenue in West Berkeley will close in mid-November, according to the parent company, making way for a potential housing development.

The chain said on its website that the store will close on Nov. 30, and employees have been offered work opportunities at its stores in Richmond and Pinole.

Employees at the Berkeley store said it will likely shut its doors when the current inventory is exhausted, which could be mid-to-late November. An employee said thefts have also been a concern at the store.

Oakland-based Lowney Architects filed a pre-application in March for the stretch of San Pablo Avenue that includes the mixed-use, 99 Cents store building at 1941 San Pablo Ave. and Everett and Jones barbecue at 1955 San Pablo Ave.

They've proposed a seven-story mixed-use complex with about 270 homes and are expected to submit a complete application by the end of the year. The new development would be fast-tracked through SB 330 with a state density bonus, with 15% affordable units. The pre-application includes commercial space on the ground floor of the building.

There are currently eight rent-controlled units at 1931 San Pablo Ave. in addition to the store, which would be demolished along with the theatre and the restaurant. Berkeleyside has reached out to Everett and Jones for comment.

The theater was built between 1924 and 1925, seating 1,400 people and running shows four days a week. It was initially financed and managed by Lawrence Borg, a "moving picture house" entrepreneur, who also managed the Varsity Theater (where the former Priya Indian Cuisine sits now). The landmarked Borg building at 2136–2154 San Pablo Ave. is named after Lawrence.

Despite its grand, painted interior, Rivoli Theatre had a short life span as an entertainment hub, according to city documents, and it was converted into a grocery store in the late 1950s. It's not listed on the National Register of Historic Places, nor is it a landmarked building locally.

Dennis Warsen, who lives on the border of South Berkeley and North Oakland, was shopping at the store on Tuesday and hadn't heard about its impending closure. He's a theater enthusiast who initially thought it was a silly idea

to put a grocery store inside such a grand building.

But practically, the store was one of the best places to shop when inflation sent prices soaring this year — and even before that when long lines dominated stores during the COVID-19 pandemic.

Fredericka Robinson used to live nearby the store and visited the location when it opened about 10 years ago. Robinson said the store was also subject to inflation pressures, and they recently started seeing items pop up in the \$6-\$7 range, though quality slightly improved with the higher price tag.

Robinson now lives in West Oakland, where the 99 Cents store closed in 2017, and pointed out that other stores that are easy to access on public transportation (like the now-closed Dollar Tree on Shattuck Avenue) have also shuttered. Housing plans are also pending for that location in South Berkeley.

The remaining Dollar Tree store in Berkeley (which is structured differently, stocking less groceries) is now on San Pablo Avenue and Gilman Street, a little under a mile away. Other shoppers visiting the store on Tuesday said they would try Big Lots and other stores to meet their budgets.

Curt Gray, who has lived in the Northwest Berkeley neighborhood off of Curtis Street for over 30 years, said the 99 Cents store closing to make way for housing feels like a slew of changes on San Pablo Avenue "coming to a crescendo."

He questioned if affordable housing units brought on by the project will make a dent in the housing crisis regionally, especially in a traditionally working-class neighborhood. He said he's also concerned about the loss of architectural character in the neighborhood if a 100-year-old building like the Rivoli Theater is demolished.

After the Grocery Outlet on Fourth Street closed in 2016 to make way for homes, Gray said the 99 Cents store became an essential amenity in the neighborhood as a larger chain store with broad offerings and hours. Mi Tierra Foods, a Mexican grocery market, is located nearby, and Berkeley Bowl West is about a mile away.

"West Berkeley is losing groceries — it's just frustrating," Gray said. "They're not building what we need them to build."

The 50 Best College Towns In America

by BestCollegeReviews.org Staff

50. Tacoma, WA

- Population: 198,397
- Student Population: 7,235

49. East Lansing, MI

- Population: 48,579
- Student Population: 50,000

48. Tuscaloosa, AL

- Population: 95,334
- Student Population: 34,852

47. Flagstaff, AZ

- Population: 65,870
- Student Population: 26,006

46. Bozeman, MT

- Population: 39,860
- Student Population: 15,294

45. Tempe, AZ

- Population: 168,228
- Student Population: 76,000

44. San Luis Obispo, CA

- Population: 45,119
- Student Population: 18,762

43. Claremont, CA

- Population: 34,926
- Student Population: 5,072

42. Eugene, OR

- Population: 159,190
- Student Population: 24,548

41. Grand Forks, ND:

- Population: 54,932
- Student Population: 15,250

40. Fayetteville, AR

- Population: 76,899
- Student Population: 24,537

39. Athens, GA

- Population: 115,452
- Student Population: 34,518

38. Bloomington, IL

- Population: 77,733
- Student Population: 22,592

37. Oxford, MS

- Population: 18,916
- Student Population: 18,224

36. Bloomington, IN

- Population: 83,565
- Student Population: 32,371

35. Waterloo-Cedar Falls, IA

- Population: 164,913
- Student Population: 12,159

34. Logan, UT

- Population: 48,879
- Student Population: 27,812

33. Lafayette, IN

- Population: 67,925
- Student Population: 38,788

32. Manhattan, KS

- Population: 56,069
- Student Population: 25,000

31. Lawrence, KS

- Population: 89,512
- Student Population: 27,784

30. Syracuse, NY

- Population: 145,170
- Student Population: 24,667

29. Columbia, MO

- Population: 115,276
- Student Population: 37,954

28. Binghamton, NY

- Population: 47,376
- Student Population: 15,308

27. Lincoln, NE

- Population: 265,404
- Student Population: 52,609

26. Amherst, MA

- Population: 37,819
- Student Population: 30,000

25. Minneapolis, MN

- Population: 400,070
- Student Population: 58,862

24. Cambridge, MA

- Population: 105,162
- Student Population: 29,565

23. Burlington, VT

- Population: 42,417
- Student Population: 14,193

22. Fargo, ND

- Population: 113,658
- Student Population: 14,629

21. College Station, TX

- Population: 97,801
- Student Population: 58,809

20. Morgantown, WV

- Population: 118,506
- Student Population: 29,466

19. Lexington, KY

- Population: 308,428
- Student Population: 30,000+

18. Tallahassee, FL

- Population: 181,376
- Student Population: 51,140

17. Hartford, CT

- Population: 124,775
- Student Population: 25,000+

16. Charlottesville, VA

- Population: 43,475
- Student Population: 21,095

15. Blacksburg, VA

- Population: 42,620
- Student Population: 30,000

14. Fort Collins, CO

- Population: 148,612
- Student Population: 31,256

13. Champaign-Urbana, IL

- Population: 231,891
- Student Population: 42,326

12. Pittsburgh, PA

- Population: 306,211
- Student Population: 95,436

11. Gainesville, FL

- Population: 126,047
- Student Population: 50,000

10. Corvallis, OR

- Population: 55,055
- Student Population: 27,952

9. Iowa City, IA

- Population: 70,133
- Student Population: 31,065

8. State College, PA

- Population: 41,983
- Student Population: 45,518

7. Chapel Hill, NC

- Population: 58,424
- Student Population: 29,137

6. Berkeley, CA

- Population: 110,000
- Student Population: 35,000

5. Ames, IA

- Population: 58,965
- Student Population: 33,241

4. Ithaca, NY

- Population: 30,331
- Student Population: 27,400

3. Madison, WI

- Population: 255,214

2. Ann Arbor, MI

- Population: 113,934
- Student Population: 59,000

1. Boulder, CO

- Population: 97,385
- Student Population: 47,000

Rentals: the Future of California Real Estate?

firsttuesday Journal Editorial Staff, March 23, 2022

California's homeownership rate averaged 54.3% in 2021. This is slightly below the prior year and far below the 2006 peak, which reached a high of 60.7%. The long-term culture of renting continues, as high housing costs push homeownership out of reach for all but the most determined (and those with access to cash). Expect California's homeownership rate not to exceed 55% in the coming decade.

A low homeownership rate means a large population of renters; long the norm for California. Is multi-family construction rising to meet today's growing renter population?

Not quickly enough — the state's rental vacancy rate remains below healthy levels, averaging 4.3% in 2021, continuing the low vacancy rates of the past decade. In recent years, the narrow rental vacancy rate has contributed to quickly rising rents across the state. In 2022, after two years of eviction moratoriums and extended noticing requirements, pandemic complications in the rental market are finally coming to an end. With the end of tenant protections, the rental vacancy rate may bounce slightly in the months to come.

But the overall vacancy trend will remain low until residential construction rises to meet demand. As ongoing building material shortages bump up against the zoning and not-in-my-backyard (NIMBY) disruptions of a typical year in California, don't expect construction to rise in any meaningful way until 2024-2025.

California's current state of homeownership

California's homeownership rate is historically around 10 percentage points below the national homeownership rate (at 65.5% at the end of 2021). This is due to a combination of factors; including the lesser impact the national policy of pushing the "American Dream" of homeownership has had on more mobile, free-spirited Californians.

California's rate of homeownership has declined dramatically since the 2008 recession, a full six percentage point drop since its peak year of 2006.

In a non-recession market, homeownership rates drop as interest rates move upward to cool the economy, as reflected in the rate of homeownership during the late 1950s through the early 1980s.

However, due to our bumpy plateau recovery brought on by the financial crisis, after 2007 both mortgage and homeownership rates have dropped in tandem. Today,

the homeownership rate is mostly stable, at around 54%, a correction of the effects of irresponsible lending during the Millennium Boom (not the fault of FHA, Fannie Mae or Freddie Mac, but Wall Street bond market in dependence).

Further, the Federal Reserve (the Fed) kept interest rates low the past several years to coax homebuyers out of the woodwork (since Congress has failed to do so) by continuing to supply money to mortgage lenders at literally zero interest. However, in late 2016 the 30-year mortgage rate began to rise, as it did in the '60s and '70s, and with that move, the homeownership rate will continue to lose strength before it fully stabilizes.

The rental alternative

In lieu of homeownership, potential homebuyers will take advantage of their only other option: renting. Often they

continued on page 13

QUOTE OF THE MONTH

Fly first-class or your heirs will.

— Anonymous financial advisor

Serving Berkeley for 25 years



Property Management
and Rental Services

We can help you find qualified tenants!

2980 College Ave. Suite 5, Berkeley, CA 94705

(510) 883-7070 ~ info@erihomes.com ~ www.erihomes.com

Rentals: the Future of California Real Estate?

will occupy detached SFRs, currently the playground for ownership among many industrious buy-to-let investors.

The rental activity of would-be homeowners forced to be tenants will be one of the driving forces increasing rental occupancy rates for the short term. City councils, however, will not likely permit the construction of high-rise, high-density multi-family units required to keep rents stable. Without proper zoning, rents will increase enough to cause a shift in housing preference to homeownership of SFRs. Then it will be back to suburban sprawl all over again.

Empty units do not indicate lack of tenants

Logic dictates that any large decrease in California homeownership should lead to a correspondingly large increase in demand for rental housing. But the builder response to this demand has been held back to a combination of difficulty securing credit and strict zoning regulations limiting density. Multi-family construction in 2019 was slightly down from the prior year, continuing the decline in 2020.

As the growing occupancy-aged population combines with the nascent job-market recovery, the potential demand we see will be realized, producing a sharp rebound in the builders' market for apartments. For the moment, however, rental housing is not scarce, particularly in the inland communities. No reason exists to expect any overall scarcity within two or three years.

Are rentals a passing trend, or a permanent change?

California has fully returned to its sub-55% homeownership rate. In the coming decade, rental property will continue as the standard; the only alternative to traditional homeownership, which remains out of reach as long as residential construction fails to meet demand.

Less risky than traditional homeownership, renting is poised to fill the gap for families who need to relocate, especially following the job losses of the 2020 recession.

But are rentals the wave of the future, or will the population and the government return to pushing single family homeownership when pocketbooks and anxieties finish recovering from the worst of the recession's pain? The answers will not be determined by current or former homeowners, but by the large new generation of potential homebuyers in Generation Z who are just beginning to come of age.

In the immediate future, firsttuesday forecasts that the population will become increasingly centered in the cities, where jobs, culture and personal conveniences are ready at hand. California, which has always had a homeownership rate roughly 10% lower than the nation as a whole, will be especially susceptible to this trend.

For a mobile, contemporary and more youthful population like California's, rentals will more often be the natural choice.

Join Us for Quarterly Social Mixers with Fellow Members

Remember: Sam Sorokin's Owners Forum happens every month on the third Thursday!

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

DATE	TOPIC
Thursday, January 5, 5:00 pm	Annual Membership Meeting, Elections & Political Update
Wednesday, January 18, 3:00 pm	You're the Successor Trustee...Now What?
Thursday, January 19, 3:00 pm	California Energy Smart Homes
Thursday, January 26, 3:00 pm	Monthly Owners Forum with Sam Sorokin

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. This series is available for playback in the members-only Content Library on our website.

Public Policy Update

Kate Bell, Kate Bell Strategies

Political Update

The Legislature was sworn in on December 5th in Sacramento. The final close races now look as if Senator Hurtado was successful against her Republican challenger, winning by just 20 votes, while former Assemblymember Chad Mayes' District Director, Republican Greg Wallis, won against Democrat Christy Holstege. Overall, the Assembly picked up three Democratic seats, bringing the split between Democrats and Republicans to 63-17 and the Senate picked up one, resulting in a 32-8 split.

Legislative Update

The Legislature has also begun introducing legislation for the 2023-2024 Legislative Session. Of note, Assemblymember Matt Haney from San Francisco has introduced AB 12, which would limit rental security deposits to one month's rent vs. two months' rent. CalRHA has already taken an oppose position to this bill, as it detrimentally impacts rental property owners' ability to mitigate risk, among other things. The majority of bills will be introduced in January and up until the introduction deadline of February 17th.

Budget Update

In November, the Legislative Analyst's Office (LAO) projected that California is facing a \$25 billion deficit next year. Therefore, they recommend that in early 2023 the Legislature question the administration about the implementation and distribution of budget augmentations approved last year. If augmentations have not yet been distributed, the Legislature has an opportunity to reevaluate those expenditures. Furthermore, the LAO suggests that programs that may not be working well provide the Legislature with areas for pause, delay, or reassessment. The Governor's budget for 2023-24 will be released by January 10th, 2023.

JANUARY MEETINGS & EVENTS

Annual Membership Meeting, Elections & Political Update
Thursday, January 5, 5:00 pm

You're the Successor Trustee...Now What?
Wednesday, January 18, 3:00 pm

California Energy Smart Homes
Thursday, January 19, 3:00 pm

Monthly Owners Forum with Sam Sorokin
Year-End Close-Out & Tax Preparation
Thursday, January 26, 3:00 pm

Check the calendar at www.bpoa.org/events for information & registration

BPOA WORKSHOPS — Go Beyond the Basics

Rent Prices Will Keep Going up in 2023-Here's What to Expect

Mike Winters, CNBC Make It, September 28, 2022

Despite some good news about U.S. rent prices falling in August, the long-term outlook still doesn't seem promising.

Last month, median rent in the nation's 50 largest cities fell by \$10 a month, the first drop in prices since November, according to Realtor.com's latest data.

But a one-month decline in prices isn't necessarily the start of a long-term trend. In fact, rent price growth will likely remain elevated well into 2023, says Realtor.com's chief economist, Danielle Hale. "My expectation is that rent growth will slow, but we may not see it go back to what was typical before the pandemic," she says.

Rental demand will remain strong due to rising homeownership costs, especially with mortgage expenses nearly doubling since January, Hale says. This has forced many would-be homebuyers to stay in the rental market, exacerbating already high demand. A chronic shortage of housing is another factor.

Year-over-year rental price growth will rise from 5.8%, as of June 2022, to 8.4% as of May 2023, according to a Federal Reserve Bank of Dallas forecast that uses data from the federal government's consumer price index.

Similarly, an upcoming Moody's Analytics forecast predicts a rent growth rate of 5% to 7% during that same time, says Thomas LaSalvia, a director of economic research at the financial analytics firm. Before the Covid pandemic, annualized rent price gains were about 4% to 5%, he says.

"There's an anticipation that interest rates still have to rise in the next six months for the Fed to get inflation back into its comfort zone," LaSalvia says. "And with that, mortgage rates are going to stay relatively high."

Fortunately for renters, Moody's expects price growth to taper off in the second half of 2023, provided that home financing costs decline.

"There's also an expectation that the Fed is going to pivot [away from continued interest hikes] after inflation starts to come down, which would then take a little pressure off the mortgage market," LaSalvia says. This, in turn, should provide some price relief for renters, he says.

In the meantime, Realtor.com's Hale says that renters should expect to pay more. To cut costs, renters might want to extend their existing lease if it's affordable. Renters could also consider the suburbs, where rent prices have grown more slowly than urban rentals, she says.

Lastly, renters might be able to save money by splitting a larger unit with another person, as studio apartments have outpaced price growth compared with one- or two-bedroom apartments, Hale says.

[n.b. Interesting but in the end, rental markets are regional, not national. -Ed.]



Fried,
Williams &
Grice Conner

Legal Excellence.
Dedication to Clients.

- Landlord – Tenant Disputes
- Difficult Evictions
- Real Estate Transactions
- Rent Board Matters
- Easements
- Ellis and OMI Evictions
- Tenant Buyouts
- Defense of Tenant Lawsuits
- Commercial & Residential Tenant Notices
- Mediation



1939 Harrison Street, Suite 460
Oakland, CA 94612

www.friedwilliams.com
510-625-0100

California 2022 General Election Results

Kate Bell, Kate Bell Strategies

The results of all races have finally been tallied in California after the November 8 general election, with ballots still being counted and cured up until December 9 in close contests. As a reminder, largely due to California's robust mail-in ballot system, California county elections officials had 30 days from Election Day on November 8, 2022, to process and verify ballots. There were several competitive Republican v. Democrat seats in the Legislature and House of Representatives, and while there certainly wasn't a red wave in California, Republicans were able to hold their own in Congress and won some surprising seats in the Legislature.

Notwithstanding the handful of Republican legislative victories, Democrats were still able to pick-up a net gain of three seats in the Assembly and one seat in the Senate compared to the prior legislative session, further bolstering their supermajorities. In the Senate, the only race that is still potentially in question is SD 16. As of December 9, which was the deadline for county elections officials to report final results to the Secretary of State, incumbent Democrat Senator Melissa Hurtado won the race by just 20 votes. Although Republican David Shepard held a several-thousand vote lead shortly after election night, his lead narrowed considerable in the subsequent weeks. Republicans are still curing" ballots and Shepard has not conceded yet, although it appears strongly likely as though Hurtado will hold her seat. There were several upsets in the Assembly, both for Democrats and Republicans. Assembly Republican incumbent Suzette Valladares narrowly lost her seat to progressive Democrat Pilar Schiavo by 522 votes. Conversely, Josh Hoover (R) was able to oust Assemblyman Ken Cooley (D) from his seat in AD 7,

and Greg Wall (R) declared victory over Christy Holstege (D) by 84 votes. Wallis succeeds former Assemblyman Chad Mayes, who was the Legislature's sole Independent before departing public office.

Nationally, California played a significant role in returning the House of Representatives in Republican control. Former Assemblyman Adam Gray (D) narrowly lost to John Duarte in CD 13, and incumbent David Valadao (R) was able to hold his seat against opponent and former Assemblyman and Democrat Rudy Salas (who has already filed papers for a rematch against Valadao in 2024). Other races where Republicans were victorious include CD 3 (Kevin Kiley), CD 27 (Mike Garcia), and CD 41 (Ken Calvert).

There were also several safe-Democrat races pitting a more moderate California Democrat vs. a California progressive. We denote California moderate vs. a California progressive, because a California moderate may be seen as a more progressive candidate in most other state legislatures. Perhaps the most closely watched was SD 8, where business-backed candidate Angelique Ashby (D) defeated former Insurance Commissioner Dave Jones (D). Conversely, in SD 10 Lily Mei (D) lost to the more progressive candidate, Aisha Wahab (D). Prior to the election, Democrats held 31 of the 40 Senate seats and 60 of the 80 Assembly seats. The balance of power in the Assembly is now 63 Democrats/17 Republicans, and likely 32 Democrats/8 Republicans in the Senate (assuming Melissa Hurtado retains her seat). All-told, there are 33 new members - the most significant turnover the Legislature has seen since the current term limits were enacted over a decade ago.

from page 2

Editorial

because the State of California says so. Today's Californians, however, did not take land from the Ohlone. They inherited it from their parents and grandparents who took it from the Spanish who took it from the Ohlone. Who knows who the Ohlone pushed out 5,000 years ago?

Opposing interests perpetually strive for more power and control. Dominance over territory is a major component of these battles. If you are hooked of Yellowstone, shame on you. And me. The show is compelling because the lead characters are so over the top, but the underlying conflict which propels the story forward is control of the land. The old-time ranching and mining interests want to go back 50 years while the emerging real estate and recreational forces strive for a new Montana 50 years hence. Nipping at their heels are the indigenous native

community and the ecologists. The native want to go back 250 years; the ecologists, 25,000. They fight — fair and unfair, peacefully and violently — because they are fighting for their existence as they perceive it.

Reassigned control of territory can be disruptive or smooth but it is inevitable. A quarter to a third of Berkeley's land is municipally owned. A proposal from the woke among us to give it back wouldn't surprise me at all. But that is a naïve point of view. It ain't gonna happen.

You can study the past. You can lament the past. You can flagellate yourself with mea culpas all you like, but reparations from those not personally responsible for historic inequities to those not personally victimized is a Pandora's box fraught with difficulties.



PinzaGroup

LOOKING TO

**BUY OR
SELL**

**AN APARTMENT
BUILDING IN
BERKELEY?**

**OVER 70
EAST BAY
BUILDINGS
SOLD IN 2021 &
8 PROPERTIES
IN ESCROW**

**ASK THE EXPERTS AT
THE PINZA GROUP**

BRE# 01941229

- OVER 100 UNITS SOLD IN BERKELEY IN 2021
- STEVEN PINZA OWNS OVER 200 APARTMENT UNITS IN BERKELEY AND THROUGHOUT THE EAST BAY -- INTIMATE AND UNMATCHED KNOWLEDGE THAT COMPETITORS SIMPLY DO NOT HAVE
- OVER \$1B IN APARTMENT SALES SINCE 2013
- THE LARGEST, PRIVATELY HELD & NON-FRANCHISED INVESTMENT REAL ESTATE BROKERAGE IN THE SAN FRANCISCO GREATER BAY AREA
- THE LOWEST COMMISSION RATE, MOST FLEXIBLE TERMS, AND FREE LEGAL AND LANDLORD ADVICE
- MORE APARTMENT BUILDINGS SOLD THAN ANY OTHER BROKERAGE IN THE EAST BAY SINCE 2013
- WINNER OF COSTAR'S TOP BROKER AND BROKERAGE AWARD FOR THE LAST EIGHT YEARS
- EXPERIENCE WITH HUNDREDS OF 1031 EXCHANGE TRANSACTIONS
- EXPERT NEGOTIATION SKILLS AND A HUGE LIST OF SATISFIED CUSTOMERS
- OVER \$200MM IN APARTMENT BUILDINGS SOLD IN 2021 & \$50MM IN ESCROW

CALL



(510) 725-4775



www.pinzagroup.com



info@pinzagroup.com

Business Directory

BORNSTEIN LAW

BAY AREA REAL ESTATE ATTORNEYS

East Bay / San Francisco Offices

AREAS OF PRACTICE

- Immediate Evictions
- Tenant Buy-Outs Agreements
- Rent Board Hearings
- Nuisance/Breach of Lease/Non-Pay
- Owner Move-In & Relative Move-In Terminations



482 W. McArthur Blvd
Oakland CA 94611

Daniel@bornstein.law

(415) 409-7611

www.bornstein.law

Jon Vicars Realtor

Over 25 years
selling Berkeley Apartments

BPOA member since 1982

(510) 898-1995

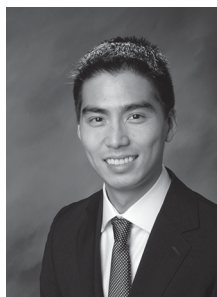
jon@vicarscommercial.com



MULTIFAMILY SALES SPECIALIST

Sell your apartment property for optimal value.
Use our proven services.

COMMITMENT TO EXCELLENCE.



Joey Wang

510.592.4244

joeywang@kwcommercial.com

CA RE Lic. 01890931

201 N. Civic Dr. #130, Walnut Creek, CA

www.kwcommercial.com

THE SHEPHERD LAW GROUP

Affordable attorney with landlord/tenant expertise.

We will work with you to devise a workable solution
to solve tenant issues.

Dependable, skillful and caring approach to tenant problems

NOT YOUR TYPICAL ATTORNEY

Call and Hear the Difference

Michael Shepherd

3542 Fruitvale Ave. #316

Oakland, CA 94602

theshepherdlawgroup@netzero.com

Tel: 510-531-0129

*Products and services advertised herein are not warranted, expressly or impliedly by the publisher or by its board of directors.
The publisher takes no responsibility should the quality of the products and services not be as advertised.*

Business Directory

Residential Leasing Company



► Kimmi Kataria, Broker

CalBRE # 01185967

A.S.K. RENTALS

TEL. : 510.524 2985

e-mail : askrentals@gmail.com

PREMIUM PROPERTIES

SAM SOROKIN
BROKER & PARTNER

CRAIG BECKERMAN
BROKER & PARTNER

REAL ESTATE SERVICES
◆ PROPERTY MANAGEMENT
◆ LEASING
◆ INVESTMENTS
◆ CONSULTING
◆ SALES & BROKERAGE
◆ DEVELOPMENT

2941 TELEGRAPH AVENUE
BERKELEY, CA 94705
510.594.0794 MAIN

WWW.PREMIUMPD.COM

CA DRE LICENSE #01886322

Legal Consultation and
Representation for
Landlords



Law Office of Michael M. Sims
2161 Shattuck Ave., Suite #232
Berkeley, CA 94704
Tel: (510) 848-6601

BAY AREA CONTRACT CARPETS

747 Independent Road, Oakland

(510) 613-0300

Carpet & Linoleum

Residential & Commercial

Serving the Bay area since 1971

www.bayareacontractcarpets.com

Contractor's License Number 714467

HOLL LAW & MEDIATION

BENJAMIN J. HOLL

Attorney/Mediator

Tel 415-324-8860

Fax 510-665-6005

Email benjamin@holl-lm.com

369 Pine St., Suite 420

San Francisco, CA 94104

www.holl-lm.com



Total Integrity
Insurance Services LLC

Special insurance programs for
landlords and apartment owners with
multiple highly competitive carriers.

• Independent • Professional • Friendly • Knowledgeable •

Call or email Henry Yang : (925) 247-4356
henry@totalintegrityinsurance.com Lic#0G94464



Bayside Pest Elimination

Helmut Tutass Owner/Operator
OPR 11473, PR 6778

"Your Green Pest Management Company."

510-717-3506

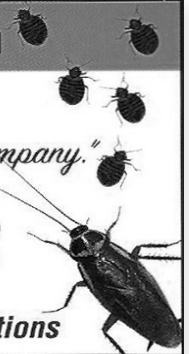
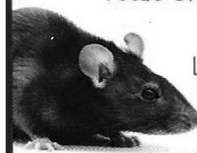
LICENSED • BONDED • INSURED

1474 University Avenue, Suite 148

Berkeley, CA 94702

Specializing in Bed Bug Solutions

www.BaySidePestControl.com



Contributions or gifts to BPOA are not tax deductible as charitable contributions for federal or state income tax purposes, but are generally deductible as trade or business expenses. No portion of payments to BPOA are made to lobbying efforts or campaign committees. For further information, please consult a tax professional or the Internal Revenue code.



2041 Bancroft Way, Suite 203 Berkeley, CA 94704 • www.bpoa.org • bpoa@bpoa.org

PRESORTED
STANDARD
US POSTAGE PAID
OAKLAND, CA
PERMIT #2508

Berkeley Property Owners Association

JANUARY EVENTS

see www.bpoa.org/events for information & registration

***Annual Membership Meeting,
Elections & Political Update***
Thursday, January 5, 5:00 pm

***You're the Successor Trustee...
Now What?***
Wednesday, January 18, 3:00 pm

California Energy Smart Homes
Thursday, January 19, 3:00 pm

Monthly Forum with Sam Sorokin
Year-End Close-Out & Tax Prep
Thursday, January 26, 3:00 pm

Check the BPOA calendar for more details.



THE
PRESCOTT
COMPANY
PREMIUM REAL ESTATE SERVICES

DAVID WEGLARZ



Senior Partner | Real Estate Services

**CALL TODAY FOR A FREE &
CONFIDENTIAL PRICING ANALYSIS**

510.398.1027

david.weglarz@theprescottcompany.com

WWW.THEPRESCOTTCOMPANY.COM

DRE#01785615