

Berkeley Tenants Union

2022 Blake Street, Berkeley, CA 94704 | berkeleytenants.org | (510) 982-6696



Dear Honorable Mayor and Councilmembers,

The Berkeley Tenants Union is an organization dedicated to defending and advancing the rights of Berkeley renters. We advocate for the voice of tens of thousands of tenants throughout Berkeley.

BTU has concerns over the recent proposed changes to the Relocation Ordinance. While we support the first two recommendations, amending BMC Sections 13.84.020.C and 13.84.070.A, our concern is in regards to BMC Section 13.84.070.O. The proposed language deducts the cost of relocation owed by the landlord if a tenant has renter's insurance. While we believe this language was created with good intentions, there may be unintended consequences as a result of this.

We believe that it should be the owner, not the tenant, that is responsible for insurance. When the tenant is responsible, this creates an incentive for the owner to apply pressure to tenants to purchase the insurance, knowing that the owner would not be responsible for relocation payment. Additionally, if a tenant ends up using the insurance to cover the cost of relocation, they will most likely be punished with a premium and hike in the insurance rate for something that was beyond their control. The owner of a building is ultimately responsible for the building a tenant rents out, so therefore it is the owner, not the tenant, that must be held responsible for relocation costs, regardless of the reasoning as to why a tenant needs to be relocated. While we understand that tenants may choose to purchase renter's insurance to cover personal belongings and personal liability, this should not be used as a way for an owner to exploit the system.

Several apartment fires, most recently the November 22, 2015 fire at Telegraph/Dwight, has shown what happens when an owner is not insured. When this is the case, it becomes more difficult for the City to follow the relocation ordinance. This issue can be averted when an owner has insurance, making it easier for both the city and the owner to follow the relocation ordinance as a result of fire damage or other emergency.

Therefore, we urge the City Council to prevent the loophole of having owners not be responsible for relocation payments. We ask that you pass an amendment ordinance that reflects the recommendations of the Housing Advisory Board. Having the owner benefit from a financial decision of a tenant is bad policy that weakens the rights of tenants. Instead, we should have a policy that requires landlords to have insurance to cover such situations.

Sincerely,

Berkeley Tenants Union