



Rent Stabilization Board

November 13, 2008

Re: 2009 Annual General Adjustment Order and security deposit interest information

Dear Berkeley Landlord/Property Manager:

The Berkeley Rent Stabilization Board has published the 2009 Annual General Adjustment (AGA) Order for all qualifying tenancies. Beginning January 1, 2009, this AGA Order adjusts rent ceilings upward by **2.7%**, which, in accordance with Berkeley Municipal Code section 13.76.110, is equal to 65% of the increase in the Bay Area CPI for the last fiscal year. The full text of the AGA Order is available on our website at www.ci.berkeley.ca.us/rent or at our office.

Units that had an initial rent set for a new tenancy in **2008** are not eligible for the 2009 AGA. As with past AGA Orders, landlords are not permitted to round increases up to the nearest dollar.

The apparent 2008 lawful rent ceilings for rent-controlled units are available on our website. For your convenience, we have provided a sample copy of a Thirty-Day Notice of Rent Increase on the back of this letter. This sample notice may be copied and used to give your tenants thirty days' written notice of the implementation of the 2009 AGA rent increase.

If you are charging a tenant less than the current lawful rent ceiling, you may increase the rent up to the ceiling after proper written notice. State law requires a written thirty-day notice for an increase of 10% or less and a written sixty-day notice if an increase is over 10%.

We have also included a questionnaire from the City's Tobacco Prevention Program about providing smokefree housing. I encourage you to fill it out and return it to the Tobacco Prevention Program so your opinion can be heard. The surveys will **not** be shared with the Rent Board.

Finally, a reminder: by the end of December, you must refund the interest that accrued during the year on tenants' security deposits. **The interest rate to be paid this year is 3.4%**. Please review the "Important Information for Landlords and Tenants" insert included in this envelope for more comprehensive information regarding security deposits and other rent control laws.

As always, if you have questions, our housing counselors are available to assist you.

Sincerely,

Jay Kelekian
Executive Director

Thirty-Day Notice of Rent Increase

This notice is provided pursuant to the 2009 Annual General Adjustment (AGA) Order of the Rent Stabilization Board.

Tenant's name: _____

Street address: _____ Unit No. _____

The present rent on your unit is \$ _____ per month.

The 2009 AGA Order adjusts 2008 rent ceilings by 2.7% for qualifying tenancies that began prior to January 1, 2008.

Your rent will increase by \$ _____ pursuant to the 2009 AGA Order.

Your new rent will be \$ _____ per month beginning _____. (This date must be at least 30 days after service of the Notice of Rent Increase.)

NOTICE: Landlords may not evict tenants except for good cause and with proper legal notice as provided in the Rent Stabilization Ordinance. The mere expiration of a lease agreement does not automatically terminate a tenancy under the Berkeley Rent Ordinance.

Advice concerning this Notice and the rental history of the unit is available from the Rent Stabilization Board Public Information Unit, 2125 Milvia Street, Berkeley, CA 94704, from 9:00 a.m. to 4:30 p.m., Monday, Tuesday, Thursday and Friday and from 12:00 p.m. to 6:30 p.m. on Wednesday, telephone (510) 981-7368.

Date

Landlord/Manager