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Councilmember District 4

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BERKELEY CITY COUNCIL VOTES TO STRENGTHEN
A TENANT'S ABILITY TO END A LEASE

Berkeley, CA – June 30, 2020 – Tuesday night, the Berkeley City Council unanimously approved an ordinance from Councilmembers Kate Harrison and Rigel Robinson to update BMC 13.78.017 allowing and reaffirming a tenant's ability to use an existing term in their lease that would allow them to pay a previously negotiated amount to end a lease early and to release them from the liability of that lease.

In the same ordinance, the Council also updated the COVID-19 Urgency Ordinance to give tenants impacted by the COVID-19 pandemic the ability to break leases without penalty during the local state of emergency, if they give 30 days' notice. The update also allows a tenant to break a lease with 30 days' notice if they, or their roommates, are or were registered with an educational institution whose in-person classes have been cancelled or limited by the COVID-19 pandemic.

Students, lawyers from the Eviction Defense Center, and the University of California at Berkeley's Office of The Chancellor all voiced their support for the measure. Many Berkeley tenants have lost roommates or have experienced drastic change in circumstances that renders the original purpose of their lease moot.

This ordinance is a strong statement in support of tenants during the COVID-19 pandemic. It mirrors a similar provision passed by Solano County to allow tenants the ability to break a lease after experiencing impacts of COVID-19.

This new ordinance also strengthens an existing ordinance, passed earlier this year, to support tenants by disallowing many fees and penalties that had little to do with the cost of business or providing housing. "These edits make the intent of the original ordinance to protect tenants clear," said Councilmember Kate Harrison at Tuesday's meeting.

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