

## ORDINANCE 5212

Ordinance 5212 was instated by the Berkeley City Council to regulate rent increases for a temporary period. It became effective as Measure I (the "Renter Property Tax Relief Ordinance") expired, December 30, 1979. Berkeley officials were to use this interim to study the "desirability and feasibility" of permanent rent stabilization legislation.

Ordinance 5212 froze rents between the months of January 1980 to May 1980 at the December 30, 1979 level, which had been controlled by Measure I. (Measure I rolled rents back to the June 1978 level, therefore, the December 1979 level was the equivalent to the June 1978 level plus any allowable increases.) A maximum increase of 5% was allowed for unavoidable costs.

Increases for unavoidable costs under Ordinance 5212 were allowable only upon proper notice, and if the costs had not already been considered for increases under Measure I. The costs could have been incurred by an increase in operating costs (including taxes and fees), insurance premiums, or capital improvements that had been undertaken with the informed consent of all the tenants or which were required to bring the premises to housing codes.

Ordinance 5212 applied to all rental units in Berkeley, with the exception of buildings that had four units or less and were owner-occupied, or newly constructed units which were first offered for rent after the effective date of the ordinance. Ordinance 5212 expired upon the passage of Measure D (the "Rent Stabilization and Eviction for Good Cause Ordinance") in June 1980.