



Are You Paying More Rent Than Your Roommate?

Rent Stabilization Board
Public Information Unit

Rent Board Regulations specify that a tenant may not charge a roommate more than a fair share of the rent. If you feel your rent amounts are distributed inequitably, give us a call. You may be entitled to a refund from your roommate.

Rent Board Regulation 1003 Base Rent and Current Lawful Rent Ceilings for Rental Units Occupied by Group Living Arrangements

(A) The base rent and current rent ceiling for each rental unit occupied by a group living arrangement shall be determined in accordance with Section 13.76.100.A. of the Berkeley Municipal Code. The total rent charged the residents of each rental unit shall not exceed that which is lawful for the unit.

(B) If one or more residents of the group living arrangement have leased or rented the entire unit from the owner or landlord and sublets portions of the premises to other residents, the total rent demanded, received or collected by the sublessor shall not exceed that which is actually and lawfully due and payable to the owner or landlord of the premises. If the sublessor demands, receives or collects rent in excess of that actually due the owner or landlord, the sublessor shall be responsible to the subtenants for all such overcharges. If the sublessor acts as the agent or employee of the owner or landlord in demanding, receiving or collecting rent in excess of that lawfully due, or acts as a conduit for the transfer of such rent overcharges to the owner or landlord, said owner or landlord shall be responsible for all such overcharges.

(C) Where there is a group living arrangement, the lawful rent ceiling for each subtenant shall be presumed to be an amount substantially proportional to the space occupied by the subtenant. This presumption may be overcome by evidence of the relative amenities of the rooms and/or any special obligations of the sublessor.