



Health, Housing & Community
Services Department

OWNER'S NOTICE OF TEMPORARY RELOCATION

[This notice is to be provided to Tenants displaced due to Fire or Code Enforcement Activity.]

From:

Property Owner: _____ Phone: _____

Mailing Address: _____

To:

Tenant(s): _____

Unit Address: _____

Due to the hazardous conditions and/or code violations, the Building Official and/or Fire Marshall has determined that you will need to temporarily vacate your unit while the repairs are being completed.

Tenants who are required to temporarily relocate due to repairs needed to bring their unit into compliance with applicable housing codes are protected under Chapter 13.84 of the Berkeley Municipal Code as well as by Berkeley's Rent Stabilization Ordinance (B.M.C. Chapter 13.76). Along with this notice, the owner must provide you with the following documents:

- Chapter 13.84 of the Berkeley Municipal Code
- Request for Relocation Payment Form

The estimated number of days that you will need to temporarily vacate the unit is: _____ (days). The estimated completion date for the repairs is: _____.

Signed: _____ **Date** _____
Owner or Owner's Agent

Date Mailed/Delivered to Tenant: _____



**Health, Housing & Community
Services Department**

To: Tenant(s)

The attached notice is being provided to you as required by the City of Berkeley Relocation Ordinance whenever the Building Official or Fire Marshall determines that a rental unit must be temporarily vacated due to hazardous conditions and/or code violations. The purpose of this notice is to make sure that you are aware of your rights and responsibilities according to the Relocation Ordinance (Chapter 13.84 of the Berkeley Municipal Code).

When temporary relocation is necessary, as a tenant you have certain rights under the ordinance, a copy of which must be provided to you with this notice. Unless the owner has a vacant unit available during the period of relocation, it is primarily the tenant's responsibility to find temporary housing. However, if you will be returning to the unit once repairs are completed, then you are entitled to relocation payments from the property owner to mitigate the costs associated with a temporary move. (If you will not be returning to the unit, such as in the case of a building being demolished, then you would not qualify for relocation payments according to the ordinance.)

In order to receive the relocation payments, you must return one of the attached "Request for Relocation Payment" forms to the property owner *within 30 days* of receipt of this notice. There are two forms attached because the ordinance provides different levels of compensation depending on the duration of the period of relocation: one form applies if the relocation is for 29 days or less, and the other when the relocation is for 30 days or more. The owner is obligated to provide the relocation payments within 5 days of receipt of your request. Once the repairs are completed then you have the right to return to the unit before the owner could offer the unit to anyone else.

If you disagree with Building Official's or Fire Marshall's determination about the requirement to vacate your unit, then you may file a written request for a hearing by the Housing Advisory Commission within 10 days of the Notice from the Building Official or Fire Marshall. Such a request should be submitted to the City's Housing and Community Services Department: 2180 Milvia Street/2nd Floor, Berkeley, CA 94704.

If you have questions about the Relocation Ordinance, you should contact the Housing and Community Services Department at 981-5418.

If you and the property owner disagree about the terms of the relocation or the amount of the relocation payments, the Berkeley Rent Stabilization Program may be able to assist by providing informal mediation to assist you to reach an agreement. They can also answer questions you may have about your rights and responsibilities as a tenant. For more information contact the Rent Stabilization Board at 981-7368.