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**GOOD CAUSE REQUIRED**

The "good cause for eviction" provisions of the Ordinance ([B.M.C. section 13.76.130](#)) apply to most rental units in Berkeley, including some units that are exempt from registration with the Board or from rent ceiling controls. Such units include: those constructed after 1980, single-family residences described in [Regulation 508](#), units owned or leased by the Berkeley Housing Authority, and units rented to federal Section 8 participants.

"Good cause" is any one of the following:

1. The tenant fails to pay rent to which the landlord is legally entitled, after receiving a notice to pay or move out within a period not less than three days (also known as a 3-day Notice to Pay or Quit).
2. The tenant continues to violate a material and valid term of the rental agreement after a written request to stop the violation.
3. The tenant willfully causes or allows substantial damage to the rental unit to occur, and refuses to pay or make sufficient repairs after being asked in writing to do so.
4. On the expiration of a fixed term lease, the tenant refuses to sign a new lease that is substantially identical to the expired one.
5. The tenant continues to disturb the peace and quiet of other occupants after receiving a written request to stop.
6. The tenant, after receiving a written request to cease, refuses to allow the landlord access to the rental unit during normal business hours to show, inspect or make repairs on the unit after receiving at least 24 hours' notice.
7. The landlord must bring the unit into compliance with the Housing Code by making substantial repairs that cannot be made while the tenant lives there. (See additional requirements below.)
8. The landlord has received a permit to demolish the unit.
9. The owner of at least a 50 percent recorded interest in the property, or such an owner's spouse, parent, or child, wishes to occupy the rental unit as their principal residence and there is or was, for 90 days before the tenant was given notice to vacate, no comparable unit available on any property owned by the landlord in Berkeley. (See additional conditions imposed by [Measure Y below](#).)

10. An owner or lessor wishes to move back into a rented or sub-leased unit as permitted in the rental agreement with the current tenant(s).
11. A tenant refuses to vacate temporary housing offered by the landlord after repairs to the tenant's prior unit have been completed.
12. A tenant engages in unlawful activity on the premises.

**508. Exemption for Certain Single Family Residences – THESE HOUSES ARE NOT EXEMPT FROM GOOD CAUSE PROVISIONS**

**(A)** Effective July 1, 1999, the following single-family residences shall be exempt from the terms of Berkeley Municipal Code [Section 13.76.080](#) [Rent Registration]; [Section 13.76.100](#) [Establishment of Base Rent Ceiling and Posting]; [Section 13.76.110](#) [Annual General Adjustment of Rent Ceilings] and [Section 13.76.120](#) [Individual Adjustment of Rent Ceilings - except as it relates to the recovery of security deposits]:

**(1)** A single-family residence that first became subject to the Rent Ordinance on or after January 1, 1996.

**(2)** As of January 1, 1999, a single family residence for which a new tenancy began on or after January 1, 1996 except where:

**(a)** The preceding tenancy was terminated by the landlord by notice pursuant to Section 1946 of the Civil Code or was terminated upon the change in terms of tenancy noticed pursuant to Section 827 of the Civil Code;

**(b)** The landlord has otherwise agreed by contract with the City of Berkeley or any other public entity to limit or otherwise restrict rent levels in consideration for a direct financial contribution or any other forms of assistance specified in Chapter 4.3 (commencing with Section 65915) of Division 1 of title 7 of the Government Code; or

**(c)** The dwelling unit contains serious health, safety, fire or building code violations, excluding those caused by disasters, for which a citation has been issued by the appropriate governmental agency, and which citation has remained unabated for six months or longer preceding the vacancy.

**(B)** For purposes of this Regulation, a single family residence is defined as a unit that is alienable separate from the title to any other dwelling unit or is a subdivided interest in a subdivision as specified in subdivision (b), (d) or (f) section 11004.5 of the Business and Professions Code but does not include a condominium dwelling or unit that has not been sold separately by the subdivider to a bona fide purchaser for value as provided in Civil Code section 1954.52(a)(3)(B)(ii).

**(C)** Except as provided in this regulation, single-family residences remain subject to the terms of the Rent Ordinance, including [Berkeley Municipal Code Section 13.76.070](#) [Security Deposits] and [Section 13.76.130](#) [Good Cause Required for Eviction].