Berkeley Measure X Passed: What Changes for Landlords, and When



Quick Answer

Berkeley voters approved Measure X on November 3, 2026 (about 68% yes in Alameda County’s unofficial count as of November 6). Once it takes effect, a landlord can’t raise a fully covered Berkeley unit’s rent by more than **10% in a 12-month period** for increases based on the Annual General Adjustment, including banked AGAs. It also moves the annual registration fee deadline to **September 30** starting in 2027, stops exemptions from applying to a tenancy that began before the unit qualified, and lowers the tenant-association threshold for self-managed parcels. The City hasn’t announced an

> effective date. If the 2024 Measure BB timeline repeats, it could take effect in mid-to-late December, before January 1 increases do, so plan any January 1 banked increase to stay within 10%.

Key Facts: Measure X at a Glance

Change	What the final text says	Who it affects
Annual cap on AGA-based increases	No more than **10%** in a 12-month period, including banked AGAs (BMC §13.76.110(F))	Fully covered units with banked AGAs
Registration fee deadline	**September 30** each year, starting in 2027 (was July 1) (§13.76.080(G))	All registered units
Exemptions and sitting tenants	An exemption doesn’t apply if the current tenancy began before the unit met all of the exemption’s requirements. Units deemed exempt before Nov 3, 2026 aren’t affected (§13.76.050(D))	Owners who might later qualify a unit for an exemption
Tenant associations	Parcels with 5+ rental units, or 1–4 if professionally managed (currently 10+, or 1–9 if professionally managed). An established association keeps its rights if the management company leaves (§13.76.135(A))	Self-managed parcels with 5–9 units; associations on professionally managed parcels

Change	What the final text says	Who it affects
Nonprofit fee waivers	Rent Board may waive or reduce registration fees for certain regulated nonprofit housing (§13.76.080(O))	Nonprofit affordable housing
Effective date	Not yet announced. County must certify the vote (by about Dec 3); then the City Council declares the result	Everyone, for timing
2027 AGA (unchanged by Measure X)	**2.5%** for increases effective in 2027	Fully covered units

What's new: voters approved these amendments in the November 3 election, according to unofficial results. They aren't in effect yet, and the operative date hasn't been announced. The 2027 AGA is a separate Rent Board determination; Measure X doesn't change it, the new-tenancy rule, or the notice periods.

Prefer video? Watch the 2-minute video version, with chapter links and a full transcript.

Berkeley Measure X: The New 10% Cap on Banked Rent Increases

Video Transcript

Berkeley voters approved Measure X. Here's what it changes for landlords, and why it matters for January first.

The headline is a new cap. Once Measure X takes effect, rent increases based on Berkeley's annual general adjustment can't go up more than ten percent in a twelve-month period, and that includes banked increases.

Most owners won't feel it. The 2027 adjustment is two and a half percent. Where the cap shows up is catch-up. In Berkeley, if you skip a year's increase, it isn't lost. It banks. And at

AEBP, owners sometimes do skip a year, and keeping a good tenant is a common reason.

Before Measure X, several skipped years could come back in one notice. Once it takes effect, increases based on the adjustment are limited to ten percent in a twelve-month period. Our reading is that anything above that stays in the rent ceiling for later, but confirm the amount with the Rent Board.

Timing matters. The City hasn't announced an effective date, but voter-approved ordinances usually take effect ten days after the council declares the result. In 2024, that landed in late December. So if you're planning a January first increase with banked amounts, keep it at or under ten percent and confirm with the Rent Board first.

Two more changes, once the measure takes effect. Registration fees will be due September thirtieth instead of July first, starting in 2027. And tenants on self-managed parcels with five to nine units will be able to form a tenant association. Professionally managed parcels already qualified at any size, and an established association keeps its rights if the manager leaves.

The full guide, with a worked example and the January notice dates, is linked below.

When Does Measure X Take Effect?

Short answer: no date yet, and it may arrive before January 1.

The final measure text has no effective-date clause of its own. Under California Elections Code §9217, a voter-approved city ordinance is adopted on the date the city council declares the vote and takes effect 10 days later. Alameda County has about 30 days from the election to certify, which puts certification around December 3. The Berkeley City Council then declares the result.

For comparison, the Council declared Measure BB's 2024 results on December 10, 2024, and the Rent Board applies Measure BB's new tenancy rules to tenancies starting on or after

December 20, 2024, ten days later. If 2026 follows a similar track, Measure X would take effect in the second half of December, before the January 1, 2027 increases that Berkeley owners are noticing now.

What that means in practice: a notice you serve in November for an increase effective January 1 will most likely land under the new cap. We're treating a January 1 increase as subject to Measure X, and we'll update this post when the City or Rent Board announces the date.

The 10% Cap: Who It Actually Touches

Most Berkeley increases won't come anywhere near 10%. The 2027 AGA is 2.5%, and Berkeley's AGA itself is capped at 5% by ordinance. A unit that takes its AGA every year will never hit Measure X's limit.

The cap matters for **banked AGAs**: increases an owner was entitled to in past years but didn't take. Under Berkeley's rules, a skipped AGA isn't lost. It stays in the unit's rent ceiling and can be taken later with proper notice. Until Measure X takes effect, there is no banking-specific percentage cap on an otherwise lawful increase up to the unit's rent ceiling. Once it takes effect, AGA-based increases will be limited to 10% in a 12-month period.

A worked example

Here's how the cap would apply to a hypothetical fully covered unit. Assume the tenancy began before 2022, rent was $2,500 and at its ceiling at the end of 2022, the unit stayed eligible for every AGA below, and the owner skipped every AGA from 2023 through 2026. These are the Rent Board's published AGAs:

Year	AGA
2023	4.4%

Year	AGA
2024	1.9%
2025	2.1%
2026	1.0%
2027	2.5%

Applied year over year, those AGAs raise the ceiling about **12.4%** above the 2022 rent. On $2,500 rent, that's a 2027 ceiling of roughly $2,811.

- **Without Measure X's cap:** the hypothetical 2027 ceiling would be about $2,811. This compares the two sets of rules; it isn't a suggestion that serving notice before the measure takes effect permits that January increase.
- **Once Measure X is in effect:** a January 1, 2027 increase would stop at **$2,750** (10%). As we read the text, the remaining ~$61 stays in the rent ceiling for a later 12-month period; confirm the available amount with the Rent Board.

This is a hypothetical to show the math, not an AEBP property. A real unit's ceiling depends on its own registration history; check it with the Rent Board's AGA calculator before serving.

A shorter gap stays well under the cap. An owner who skipped only 2025 and 2026 and takes everything on January 1, 2027 is looking at about a 5.7% increase.

Notice for an increase within the cap

Under Civil Code §827(b), the notice period depends on the total increase over the 12 months before the effective date: at least 30 days for 10% or less, and 90 days above 10%. For an AGA-only increase that stays within 10% over the preceding 12 months, the ordinary statutory notice period is 30 days. Longer contractual or other applicable notice requirements still control. If the notice is mailed from and to addresses within California, Code of Civil Procedure §1013(a) adds five calendar days. That's why last week's guide uses **Wednesday,**

November 25 (mailed, with a conservative extra day) and **Tuesday, December 1** (in person) as planning targets for a January 1 increase.

What We See at AEBP: Skipped Years Become Banked Increases

Every unit we manage has its own increase-eligibility date in AppFolio, and in Berkeley that date is January 1. But an eligibility date isn't an automatic increase. Owners we work with sometimes choose to skip a year, and a common reason is to keep a good tenant.

That's a sound decision, and Measure X doesn't penalize it. What it changes is the catch-up. Without Measure X's cap, an owner who held rent flat for a few years could, in principle, take all of it back in one notice. Once Measure X takes effect, the catch-up is spread out: no more than 10% in a 12-month period, with the rest still banked for later.

That changes the math of skipping a year. The skipped AGA is still there, but it can no longer all come back at once if several years stack up. For most owners skipping one year, nothing changes in practice. For an owner who has been holding rent flat on a long-term tenant for three or four years, the January 1 increase is where the cap shows up.

The Other Changes in Measure X

Registration fees are due September 30, starting in 2027

The annual registration fee deadline moves from July 1 to **September 30**. The 100% late penalty still applies to an unpaid fee. Registration also still matters for rent increases: Berkeley's rules bar AGA increases on units that aren't fully registered.

Exemptions can't reach a tenancy that predates them

New §13.76.050(D): an exemption from the ordinance doesn’t apply when the current tenancy started before the unit met all of the exemption’s requirements. Units already deemed exempt before November 3, 2026 aren’t affected.

An illustration: Berkeley exempts an ADU on a single-family lot when the owner also lives on the property. If an owner moves onto the property after the ADU tenant moved in, that sitting tenant keeps the ordinance’s protections. The exemption would apply to the next tenancy, not this one.

Tenant associations: lower thresholds and continuing rights

Under the current ordinance, tenants can form a Tenant Association on parcels with 10 or more rental units, or 1 to 9 units if a property management company manages them. Once Measure X takes effect, that becomes **5 or more units, or 1 to 4 if professionally managed**.

Here’s the part owners miss: **if a property management company manages your Berkeley parcel, your tenants already qualified at any size.** The threshold expansion reaches self-managed parcels with 5 to 9 rental units. Measure X also says an established association keeps its rights even if the property management company stops managing the units.

Self-Managed vs. AEBP-Managed Under Measure X

Task	If You Self-Manage	With AEBP
Knowing which units have banked AGAs	You reconstruct each unit’s rent and ceiling history	Allowable-increase tracking is part of our Berkeley Rent Board compliance service

Task	If You Self-Manage	With AEBP
Timing a January 1 increase	You decide whether the new cap applies	Increases on eligible Berkeley units taken January 1, the first day allowed
Registration deadline	You track the new September 30 date	Annual Rent Board registration is part of our compliance service
Deciding whether to skip a year	Easy to skip without seeing the catch-up limit	The owner decides; an eligibility date is never an automatic increase

Before You Serve a Berkeley Rent Increase

- Confirm the unit is fully covered and the tenancy is AGA-eligible (a 2026 move-in waits until January 1, 2028).
- Verify the registered rent ceiling, any unused AGAs, and every increase in the prior 12 months.
- Check whether Measure X has taken effect, and keep an AGA-based increase within 10% in a 12-month period.
- Confirm registration fees and security deposit interest are paid, there are no open repair orders, and the lease allows the increase.
- Calculate notice and service time: 30 days for a total increase of 10% or less over 12 months, plus five days if mailed within California.

For the rest of Berkeley’s rules, see our Berkeley Rent Control Compliance Guide and the Berkeley Rent Stabilization and Just Cause Ordinance entry in our law library.

Bottom Line

Measure X doesn’t change Berkeley’s 2.5% AGA or who can take it. It changes how much banked increase can come back at once: no more than 10% in a 12-month period. If you’re planning a January 1 increase on a unit with several skipped years, keep it at or under 10% and confirm the unit’s ceiling with the Rent Board before serving. The effective date isn’t set yet; we’ll update this post when it is.

Frequently Asked Questions

Did Berkeley Measure X pass?

Yes. Berkeley voters approved Measure X on November 3, 2026, with about 68% yes in Alameda County’s unofficial count as of November 6. Alameda County certifies the vote by about December 3, and the measure takes effect after the City Council declares the result.

What is the 10% cap in Measure X?

Once in effect, a landlord can’t increase a fully covered Berkeley unit’s rent by more than 10% in a 12-month period for increases based on the Annual General Adjustment, including banked AGAs (BMC §13.76.110(F)). The 2027 AGA is 2.5%, so the cap mainly affects owners taking several years of banked increases at once.

Do I lose banked AGAs above 10%?

The cap limits how much can be taken in a 12-month period; it doesn’t change how the rent ceiling rises each year. As we read the text, the amount above 10% stays banked and can be taken in a later 12-month period. Confirm a unit’s ceiling and any remaining banked amount with the Rent Board before serving.

Does Measure X apply to January 1, 2027 rent increases?

Probably. No effective date has been announced, but under Elections Code §9217 a voter-approved ordinance takes effect 10 days after the City Council declares the result. In 2024, Measure BB’s changes applied from December 20. Plan any January 1 banked increase to

stay within 10%.

When is the Berkeley registration fee due now?

Starting in 2027, annual registration fees are due by September 30 each year instead of July 1. The 100% late penalty still applies, and units that aren't fully registered can't take AGA increases.

Sources

- Measure X final text, BMC §13.76.050(D), §13.76.080(G) and (O), §13.76.110(F), §13.76.135(A) — *Required by local ordinance once certified and in effect.* City of Berkeley — official Measure X full text; City Attorney's impartial analyses
- Election result (unofficial, as of November 6, 2026) — Alameda County Registrar of Voters, election results; Local News Matters, Nov 4, 2026
- Measure BB precedent — City of Berkeley, confirming the November 5, 2024 results (Dec 10, 2024); Berkeley Rent Board, Measure BB changes
- Effective date of voter-approved city ordinances — *Required by law.* California Elections Code §9217
- AGA history 2023–2026 — Berkeley Rent Board, AGA list; 2027 AGA 2.5% — Berkeley Rent Board, Annual General Adjustment
- Banked AGAs and the 5% AGA cap — *Required by local ordinance.* Berkeley Rent Board, Annual General Adjustment
- Notice periods and mailing — *Required by law.* Civil Code §827(b); Code of Civil Procedure §1013(a)
- AEBP's eligibility-date tracking, January 1 Berkeley timing, and owners skipping years to keep good tenants — *Company practice*, confirmed by AEBP (anecdote log, October 30, 2026). Rent control compliance services — AEBP llms.txt.

Want a Second Look at Your Berkeley Units Before January 1?

We manage 600+ rental units across Oakland, Berkeley, Emeryville and the wider East Bay, and track every unit’s rent increase eligibility date.

Let’s Talk About Your Property →

Source: https://alleastbayproperties.com/berkeley-measure-x-landlords/