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10 San Francisco Bay Area Renters Federation,
11 California Renters Legal Advocacy and
12 Education Fund, Sonja Trauss, and
13 Diego Aguilar-Canabal

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **COUNTY OF ALAMEDA – UNLIMITED CIVIL JURISDICTION**

16 SAN FRANCISCO BAY AREA RENTERS
17 FEDERATION, CALIFORNIA RENTERS
18 LEGAL ADVOCACY AND EDUCATION
19 FUND, SONJA TRAUSS, and DIEGO
20 AGUILAR-CANABAL,

21 Petitioners,

22 vs.

23 BERKELEY CITY COUNCIL, CITY OF
24 BERKELEY, a municipal corporation, and
25 DOES 1-25,

26 Respondents.

27 BARAN STUDIO ARCHITECTURE, a
28 California corporation, and CS
DEVELOPMENT & CONSTRUCTION INC,
a California corporation,

Real Parties in Interest.

Case No.: RG1683448

**(Proposed) STIPULATED ORDER
GRANTING PETITIONERS' PETITION
FOR WRIT OF ADMINISTRATIVE
MANDAMUS**

(C.C.P. §1094.5; C.C.P. §§1085 & 1060;
C.C.P. §1021.5; Govt. Code § 65589.5)

1 Petitioners San Francisco Bay Area Renters Federation, California Renters Legal
2 Advocacy and Education Fund, Sonja Trauss, and Diego Aguilar-Canabal (“Petitioners”);
3 Berkeley City Council, City of Berkeley (“Respondents”); and Baran Studio Architecture, and
4 CS Development & Construction Inc, (“Real Parties in Interest”) stipulate to the following order
5 granting Petitioners’ petition for writ of administrative mandamus.

6 1. Resolution No. 67,612-N.S. denying Real Parties’ Use Permit No. ZP2015-0087
7 is hereby rescinded.

8 2. The Berkeley City Council will schedule a rehearing of the appeal of Use Permit
9 No. ZP2015-0087 to occur within two to four months from entry of this order but will
10 accommodate any scheduling requests by Real Parties.

11 3. In its decision on the rehearing of the appeal, the Berkeley City Council shall
12 comply with the Housing Accountability Act (“HAA”), Gov’t Code § 65589.5 et seq.

13 4. Respondents shall conduct an HAA analysis as part of its project review for all
14 pending and future housing construction project applications in the City of Berkeley, including
15 the subject project.

16 5. Respondents shall pay to Petitioners \$6,895.00 in attorney’s fees and \$480 in
17 costs.

18 IT IS SO ORDERED:

19 October _____, 2016

Judge, Alameda Superior Court

20 Approved as to form and so stipulated:

21 _____
22
23 On behalf of Respondents

24 _____
25
26 On behalf of Petitioners

27 _____
28
On behalf of Real Parties in Interest