

1 [Increasing Real Estate Recordation Fee.]

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3 **Ordinance amending Article XIII, Section 8.24-5, San Francisco Administrative Code to**
4 **increase the recordation fee to \$3.00 from \$2.00 at the time of recording real estate**
5 **instruments to become operative on its effective date or on July 1, 2009, whichever is**
6 **later, and making environmental findings.**

7 NOTE: Additions are *single-underline italics Times New Roman*;
8 deletions are ~~*strike-through italics Times New Roman*~~.
9 Board amendment additions are double-underlined;
Board amendment deletions are ~~strike-through normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. Environmental Findings. The Planning Department has determined that the
12 actions contemplated in this Ordinance are in compliance with the California Environmental
13 Quality Act (California Public Resources Code sections 21000 et seq.). Said determination is
14 on file with the Clerk of the Board of Supervisors in File No. _____ and is
15 incorporated herein by reference.

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17 Section 2. The San Francisco Administrative Code is hereby amended by amending
18 Section 8.24-5 to read as follows:

19 SEC. 8.24-5. REAL ESTATE FRAUD PROSECUTION RECORDATION FEE.

20 (a) Establishment of Fee. Pursuant to Section 27388 of the California Government
21 Code, there is hereby established a fee of \$3.00 ~~\$2.00~~ that shall be paid to the Recorder at the
22 time of recording every real estate instrument, paper, or notice required or permitted by law.
23 Such fee shall be collected, administered, and expended in accordance with Section 27388 of
24 the California Government Code. Money collected pursuant to this Section shall be used to

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1 fund programs to enhance the capacity of local police and prosecutors to deter, investigate,
2 and prosecute real estate fraud crimes and other purposes hereafter authorized by State law.

3 (b) Real Estate Fraud Prosecution Trust Fund Committee. There is hereby
4 established a Real Estate Fraud Prosecution Trust Fund Committee ("Committee") composed
5 of the District Attorney, City Administrator, and City Attorney, each of whom may appoint an
6 appropriate representative to serve on the committee. The Committee shall review
7 applications and make determinations by majority vote as to the award of funds using the
8 procedures and criteria required by Section 27388 of the California Government Code.

9 (c) Annual Review. The Board of Supervisors shall annually review the effectiveness
10 of the District Attorney in deterring, investigating, and prosecuting real estate fraud crimes
11 based upon information provided by the District Attorney in an annual report submitted to the
12 Board of Supervisors in accordance with Section 27388(d) of the Government Code.

13 (d) Administration of Funds. Pursuant to Section 27388(g) of the Government Code,
14 no money collected pursuant to this Section shall be expended to offset a reduction in any
15 other source of funds. Funds from the Real Estate Fraud Prosecution Trust Fund shall be
16 used only in connection with criminal investigations or prosecutions involving recorded real
17 estate documents.

18 (e) Monies in this fund, including all interest earned, shall be deemed provided for
19 specific purposes, as stated in this ordinance, and shall be carried forward at the end of each
20 fiscal year, consistent with the provisions of the City Charter.

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22 Section 3. This ordinance shall become operative on its effective date or on July 1,
23 2009, whichever is later.

24 APPROVED AS TO FORM:
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By: _____
Sallie P. Gibson
Deputy City Attorney