

LEGISLATIVE DIGEST

[Administrative Code - Good Samaritan Status Under the Residential Rent Stabilization and Arbitration Ordinance]

Ordinance amending the Administrative Code to expand the Good Samaritan Status under the Residential Rent Stabilization and Arbitration Ordinance to situations where tenants of the San Francisco Housing Authority are displaced by the commencement of rehabilitation on their housing units under a federal rental assistance demonstration program, thereby enabling those tenants to relocate with landlords who may seek to recover possession of the premises at the expiration of the Good Samaritan Status.

Existing Law

Section 37.2 of the Administrative Code defines “Good Samaritan Status” as occurring when a landlord and a new tenant agree in writing for the tenant to commence temporary occupancy of a unit following an emergency that required the unexpected vacation of the tenant’s previous unit. Section 37.9(a)(16) of the Administrative Code allows a landlord to recover possession of a unit leased to a tenant when the tenancy qualifies as a Good Samaritan Status and the Good Samaritan Status has expired.

Amendments to Current Law

This amendment expands the definition of “Good Samaritan Status” by providing that the status also occurs when a landlord and a new tenant agree in writing for the tenant to commence temporary occupancy of a unit following the commencement of rehabilitation of the tenant’s San Francisco Housing Authority (“SFHA”) unit under the United States Department of Housing and Urban Development Rental Assistance Demonstration Program. For the Good Samaritan Status to apply, the rent to be paid to the landlord is the amount that the United States Department of Housing and Urban Development pays to the SFHA as a rent subsidy for the tenant’s SFHA unit in addition to the portion of rent paid by the tenant to the SFHA for occupancy of the SFHA unit (the “RAD Contract Rent”), or an amount up to 10% greater than the RAD Contract Rent; provided, however, the tenant may not be required to pay any amount above the RAD Contract Rent.

n:\legana\as2015\1500694\01008530.doc