

1 [Residential Rent Ordinance-Keys: Landlord shall provide a minimum of one key/key-set per
2 adult occupant, request for additional key/key-set may only be denied for good reason,
3 unreasonable denial is a decrease in housing services, documented cost of additional
key/key-set may be charged ~~plus security deposit~~, disputes determined by tenant petition to
the Rent Board.]

4 **Ordinance amending Administrative Code Chapter 37 (“Residential Rent Stabilization
5 and Arbitration Ordinance”) by renumbering existing Section 37.13 as 37.14 and
6 renumbering existing Section 37.14 as 37.15, and by adding new Section 37.13 to
7 provide that: each adult occupant is entitled to a minimum of one key/key-set for the
8 rental unit without charge; upon written request for extra keys/key-sets stating the
9 reason(s) (e.g., for the convenience of the occupant, such as admitting a service
10 provider or a delivery person or a houseguest) a landlord shall provide the requested
11 extra keys/key-sets unless within 14 days the landlord promptly denies the request in
12 writing as unreasonable (e.g., due to unlawful occupancy or a pattern of lease
13 violation); a request for an extra key/key-set may only be denied for good reason;
14 unreasonable denial of an extra key/key-set constitutes a decrease in housing
15 services; and, ~~a landlord or a tenant~~ may file a petition for hearing on a disputed
16 request for an extra key/key-set, which shall be decided by an Administrative Law
17 Judge (ALJ), with the ALJ decision appealable to the Rent Board.**

18 Note: Additions are single-underline italics Times New Roman;
19 deletions are ~~strikethrough italics Times New Roman~~.
20 Board amendment additions are double underlined Arial font;
Board amendment deletions are ~~strikethrough Arial font~~.

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

22
23 Section 1. The San Francisco Administrative Code is hereby amended by renumbering
24 existing Section 37.13 as Section 37.14, by renumbering existing Section 37.14 as Section
25 37.15, and by adding new Section 37.13, to read as follows:

SUPERVISOR DALY , GONZALEZ
BOARD OF SUPERVISORS

1 Section 37.13. Keys.

2 (a) A landlord shall provide a minimum of one key or key-set per rental unit for each adult
3 occupant, without charge.

4 (b) Upon receipt of a tenant's written request for extra keys/key-sets stating the reason(s) for
5 the request a landlord shall provide the extra keys/key-set, unless the landlord determines that the
6 request is unreasonable under the circumstances and promptly provides the tenant with specific
7 written reasons for the rejection within fourteen days of the request.

8 (1) A tenant may request extra keys/key-sets for his or her convenience. Examples include,
9 but are not limited to: admitting a service provider or a delivery person or a houseguest.

10 (2) The landlord may charge for the documented cost of providing extra keys/key-sets. The
11 landlord may also require a security deposit of up to \$50.00 for an extra key or key-set for a
12 unit, that will be fully refundable upon return of that key or key-set.

13 (3) The landlord may deny the request for extra keys/key-sets only for good reason, such as
14 unlawful occupancy or a pattern of lease violation.

15 (4) A landlord or a tenant may file a petition the Board to decide a disputed request for
16 extra keys/ or key-sets which may constitute a decrease in services.

17 (A) The Board through its Administrative Law Judges shall conduct a hearing in order to
18 decide the petition.

19 (B) The decision of the Administrative Law Judge shall be final unless the Board vacates the
20 decision on appeal.

21 (C) Either party may file an appeal of the Administrative Law Judge's decision with the
22 Board. Such appeals are governed by Section 37.8(f).

23 (5) Unreasonable denial of extra keys/key-sets constitutes a decrease in housing services, for
24 which the Administrative Law Judge may order a corresponding reduction in rent.

1 **SECTION 37.~~13~~14. HEARINGS AND REMEDIES FOR VIOLATION OF RESIDENTIAL**
2 **HOTEL VISITOR POLICIES.**

3 (a) Upon receipt of a petition from a current or former occupant of a residential hotel
4 alleging violation of the provisions of Administrative Code Chapter 41D, including allegation of
5 violation of the Uniform Visitor Policy or any Supplemental Visitor Policy, the Board through its
6 Administrative Law Judges shall conduct a hearing in order to decide the petition. This
7 decision may require a determination as to whether a residential hotel's policies and
8 procedures are consistent with the Uniform Visitor Policy and any approved Supplemental
9 Policies, and in compliance with Administrative Code Chapter 41D.

10 (b) Upon an Administrative Law Judge's findings of fact and decision that the operator,
11 employee or agent of a residential hotel has violated the Uniform Visitor Policy or any
12 approved Supplemental Visitor Policy or any other provision of Chapter 41D, the
13 Administrative Law Judge may conclude that the occupant has suffered a diminution in
14 housing services and order a corresponding reduction in rent.

15 (c) The decision of the Administrative Law Judge shall be final unless the Board
16 vacates the decision on appeal.

17 (d) Either party may file an appeal of the Administrative Law Judge's decision with the
18 Board. Such appeals are governed by Section 37.8(f).

19 //
20 //
21 //
22 //
23 //
24 //
25 //

1 **SECTION 37.~~14~~15. SEVERABILITY.**

2 If any provision or clause of this Chapter or the application thereof to any person or
3 circumstance is held to be unconstitutional or to be otherwise invalid by any court of
4 competent jurisdiction, such invalidity shall not affect other Chapter provisions, and clauses of
5 this Chapter are declared to be severable.

6
7
8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By: 
11 MARIE CORLETT BLITS
12 Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 031879

Date Passed:

Ordinance amending Administrative Code Chapter 37 ("Residential Rent Stabilization and Arbitration Ordinance") by renumbering existing Section 37.13 as 37.14 and renumbering existing Section 37.14 as 37.15, and by adding new Section 37.13 to provide that: each adult occupant is entitled to a minimum of one key/key-set for the rental unit without charge; upon written request for extra keys/key-sets stating the reason(s) (e.g., for the convenience of the occupant, such as admitting a service provider or a delivery person or a houseguest) a landlord shall provide the requested extra keys/key-sets unless within 14 days the landlord denies the request in writing as unreasonable (e.g., due to unlawful occupancy or a pattern of lease violation); a request for an extra key/key-set may only be denied for good reason; unreasonable denial of an extra key/key-set constitutes a decrease in housing services; and, a tenant may file a petition for hearing on a disputed request for an extra key/key-set, which shall be decided by an Administrative Law Judge (ALJ), with the ALJ decision appealable to the Rent Board.

February 24, 2004 Board of Supervisors — PASSED ON FIRST READING

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Peskin, Sandoval

Noes: 1 - Hall

Absent: 1 - Maxwell

Excused: 1 - McGoldrick

March 9, 2004 Board of Supervisors — FINALLY PASSED

Ayes: 8 - Alioto-Pier, Daly, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 1 - Hall


Excused: 2 - Ammiano, Dufty

File No. 031879

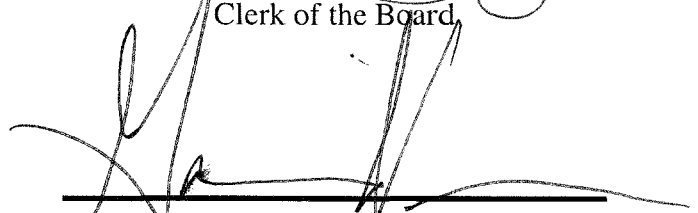
I hereby certify that the foregoing Ordinance was FINALLY PASSED on March 9, 2004 by the Board of Supervisors of the City and County of San Francisco.

MAR 19 2004

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom