

File No. 130706

Committee Item No. _____

Board Item No. 9

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST*

Committee _____

Date _____

Board of Supervisors Meeting

Date September 24, 2013

Cmte. Board

- | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |
| <input type="checkbox"/> | <input type="checkbox"/> | Exceeds 20 pages; see file to review |
| <input type="checkbox"/> | <input type="checkbox"/> | Sent to Board in advance of agenda preparation;
available for review at reception desk, City Hall, Room 244 |
| <input type="checkbox"/> | <input type="checkbox"/> | Other |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Late Agenda Items (documents received too late for distribution to the Committee Members)

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|--------------------------|-------------------------------------|---------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Amended in Board 9/17/13</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: ALB

Date 9/18/13
Date _____

*This list reflects the explanatory documents provided

1 [Administrative Code - Residential Rent Ordinance, Tenant Financial Hardship Applications
2 for Relief from Landlord Passthrough of Capital Improvement Costs]

3 **Ordinance amending the Administrative Code to provide standards for Residential**
4 **Tenant Financial Hardship Applications seeking relief from landlord passthrough of**
5 **capital improvement costs to a tenant, and procedures for reviewing and deciding the**
6 **Applications; and to require landlord the Rent Board to provide notice to tenants**
7 **regarding financial hardship application procedures, when a landlord applies for**
8 **certification of capital improvement costs.**

9
10 NOTE: Additions are *single-underline italics Times New Roman font*;
11 deletions are *strike-through italics Times New Roman font*.
12 Board amendment additions are double-underlined Arial font;
13 Board amendment deletions are ~~strikethrough Arial font~~.

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

15 Section 1. The Administrative Code is hereby amended by amending Section 37.7(h),
16 and adding Section 37.7(i) and (j) to read as follows:

17
18 **Section 37.7. CERTIFICATION OF RENT INCREASES FOR CAPITAL**
19 **IMPROVEMENTS, REHABILITATION WORK, ENERGY CONSERVATION**
20 **IMPROVEMENTS, AND RENEWABLE ENERGY IMPROVEMENTS.**

21
22 **Section 37.7(h). Tenant Financial Hardship Applications.**

23 (1) A tenant may file a hardship application at any time on grounds of financial
24 hardship with respect to any rent increase based on certified costs of capital improvements,
25 rehabilitation work, energy conservation improvements, or renewable energy improvements.

1 Payment of such rent increases(s) set forth in the hardship application shall be stayed for a
2 period of 60 days from the date of filing, and the stay shall be extended if the Board accepts
3 the application for hearing from the date of filing until a decision is made on the Tenant
4 Financial Hardship Application.

5 (2) Hardship applications shall be available in multiple languages.

6 (3) Multilingual notice of hardship application procedures shall be mailed with each
7 Administrative Law Judge or Board decision.

8 (4) Within six months after ~~the effective date of this ordinance~~ February 21, 2003 the Rent
9 Board shall implement a process for direct outreach to landlords and tenants whose primary
10 language is not English, regarding availability and use of the hardship application procedure.
11 Within three months of implementation the Board shall provide a report to the Board of
12 Supervisors regarding this outreach program, describing the implementation process and any
13 known results.

14
15 **Section 37.7(i). Tenant Financial Hardship Application Standards and Process.**

16 *(1) Standards for Establishing Financial Hardship. A tenant will qualify under Subsection*
17 *37.7(h) for relief from payment of a certified capital improvement passthrough, if the tenant*
18 *demonstrates that one of the following financial hardship situations applies:*

19 *(A) Tenant is a recipient of means-tested public assistance, such as Social Security*
20 *Supplemental Security Income (SSI), General Assistance (GA), Temporary Assistance for Needy*
21 *Families (TANF), or California Work Opportunity and Responsibility to Kids (CalWORKS); or.*

22 *(B) Gross household income is less than 80% of the current Unadjusted Area Median*
23 *Income (AMI) as published by the U.S. Department of Housing and Urban Development (HUD) for the*
24 *"Metro Fair Market Rent Area" that includes San Francisco; and rent charged is greater than 33% of*
25 *gross household income; and assets, excluding non-liquid assets and retirement accounts, do not*

1 exceed asset amounts permitted by the Mayor's Office of Housing when determining eligibility for
2 below market rate (BMR) home ownership; or,

3 (C) Exceptional circumstances exist, such as excessive medical bills.

4 (2) Procedures for Filing. A Tenant Financial Hardship Application must be filed:

5 (A) By each occupant in the unit who is 18 years of age or older, except not by any
6 subtenant who pays rent to the master tenant (the gross income of the master tenant must include the
7 amount of the subtenant's rent payment);

8 (B) Under penalty of perjury, stating that the tenant qualifies under one of the
9 standards in Subsection 37.7(i)(1)(A), (B), or (C);

10 (C) With documentation demonstrating the tenant's qualifications; and,

11 (D) With an acknowledgment that the Rent Board will provide a copy of the Tenant
12 Financial Hardship Application to the landlord.

13 (3) Stay of Payment. Payment of a certified capital improvement passthrough that is the
14 subject of a Subsection 37.7(i)(1) ~~T~~enant ~~F~~inancial ~~H~~ardship Application shall be stayed from the
15 date of filing until a decision is made on the ~~T~~enant's ~~F~~inancial ~~H~~ardship Application.

16 (4) Hearing Options, Decision.

17 (A) A decision on the Application will be issued administratively by a Rent Board
18 Administrative Law Judge unless a hearing is requested by the landlord within fifteen days of the date
19 the completed Tenant Financial Hardship Application is mailed to the landlord by the Rent Board, or
20 unless a Rent Board Administrative Law Judge otherwise determines that a hearing is needed.

21 (B) Landlord Request for Hearing, Procedures:

22 (i) A landlord's request for a hearing on the Application shall specify the
23 claim(s) in the Application that the landlord disputes, and attach any relevant documentation.

24 (ii) A Rent Board Administrative Law Judge will review any landlord request for
25 hearing, to determine whether a hearing is necessary to resolve disputed facts.

1 (iii) If the landlord's request for a hearing is granted, it will be the landlord's
2 burden to demonstrate that the tenant's financial hardship eligibility under Subsection 37.7(i)(1)
3 criteria, as stated in the Application, has not been established.

4 (iv) If it is determined that a hearing as requested by the landlord is not needed
5 to determine the facts, a decision on the Application will be issued administratively by a Rent Board
6 Administrative Law Judge.

7 (5) Term of Relief. Relief from payment of a certified capital improvement passthrough may be
8 for an indefinite period, or for a limited period of time, all subject to the landlord's request to reopen
9 the case if the landlord has information that the tenant is no longer eligible.

10 (6) Change in Tenant Eligibility Status. If a tenant is granted relief from payment of a
11 certified capital improvement passthrough under Subsection 37.7(i)(1), and subsequently the tenant is
12 no longer eligible for such relief:

13 (A) The tenant shall notify the Rent Board of this changed eligibility status in writing
14 within 60 days, with a copy to the landlord.

15 (B) Whether or not the tenant notifies the Rent Board and landlord as provided in
16 Subsection 37.7(i)(6)(A), the landlord may notify the Rent Board if the landlord has information that
17 the tenant is no longer eligible, with a copy to the tenant.

18 (C) Upon receipt of notice under Subsection 37.7(i)(6)(A) or (B), a Rent Board
19 Administrative Law Judge shall decide whether to grant or deny the previously granted relief. That
20 decision may be made administratively by a Rent Board Administrative Law Judge without a hearing
21 unless the Administrative Law Judge determines that a hearing is needed, or unless the landlord
22 requests a hearing. Any such hearing shall be promptly scheduled.

23 (7) Any decision granting or denying the Tenant Financial Hardship Application, or any
24 subsequent decision on a previously granted Tenant Financial Hardship Application, may be appealed
25 to the Rent Board. The Rent Board's final decision will be subject to judicial review by writ of

1 administrative mandamus in the San Francisco Superior Court.

2
3 **Section 37.7(j). Notice to Tenants Regarding Tenant Financial Hardship Applications.**

4 The Rent Board shall provide written notice of the tenant financial hardship application
5 procedures to each affected unit, with a copy of the landlord's petition for certification of capital
6 improvement costs.

7
8 Section 2. This section is uncodified.

9 Subsection 37.7(i) of this Ordinance as adopted ("Tenant Financial Hardship
10 Application Standards and Process") shall apply to Tenant Financial Hardship Applications
11 filed under Administrative Code subsection 37.7(h) that are pending at the time this Ordinance
12 becomes effective; except that, tenants shall be permitted to amend their applications to
13 comply with Subsection 37.7(i)(2) "Procedures for Filing." Subsection 37.7(i) shall fully apply
14 to all applications filed after the date this Ordinance becomes effective.

15 Subsection 37.7(j) of this Ordinance as adopted ("~~Landlord~~ Notice to Tenants
16 Regarding Tenant Financial Hardship Applications") shall apply only to applications that are
17 filed after the effective date of this ordinance.

18
19 Section 3. This section is uncodified.

20 Effective Date. This ordinance shall become effective 30 days from the date of
21 passage.

22
23 //

24 //


25 //

1 Section 4. This section is uncodified.

2 In enacting this Ordinance, the Board intends to amend only those words, phrases,
3 paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams, or any
4 other constituent part of the Administrative Code that are explicitly shown in this Ordinance as
5 additions, deletions, Board amendment additions, and Board amendment deletions in
6 accordance with the "Note" that appears under the official title of the Ordinance.

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

10 By:


11 JONATHAN GIVNER
Deputy City Attorney

12 n:\legana\as2013\1300358\00873474.doc

REVISED LEGISLATIVE DIGEST

(9/17/2013, Amended in Board)

[Administrative Code - Residential Rent Ordinance, Tenant Financial Hardship Applications for Relief from Landlord Passthrough of Capital Improvement Costs]

Ordinance amending the Administrative Code to provide standards for Residential Tenant Financial Hardship Applications seeking relief from landlord passthrough of capital improvement costs to a tenant, and procedures for reviewing and deciding the applications; and to require the Rent Board to provide notice to tenants regarding financial hardship application procedures, when a landlord applies for certification of capital improvement costs.

Existing Law

The current Residential Rent Stabilization and Arbitration Ordinance ("Rent Ordinance," Administrative Code Chapter 37) includes a basic provision allowing tenants to file financial hardship applications for relief from landlord passthrough of certified capital improvement costs to tenants. (Administrative Code §37.7(h).)

Amendments to Current Law

The proposed legislation would add more detailed provisions regarding the financial hardship applications, by providing tenant eligibility standards, and providing procedures for reviewing and deciding the applications, including a landlord option for requesting hearing on the application. The legislation would also add specified notice to tenants when a landlord applies for certification of capital improvement costs. (Administrative Code §§37.7(i), (j).)

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Miller, Alisa

From: Board of Supervisors
Sent: Tuesday, September 10, 2013 11:53 AM
To: Miller, Alisa
Subject: File 130706 Landlord - Harassment/Discrimination/Retaliation/Habitability, Mold issues.

From: Jonathan Bullinger [mailto:jonny_bravo23@yahoo.com]
Sent: Monday, September 09, 2013 2:11 PM
To: Jonathan Bullinger; Lee, Mayor; Mar, Eric (BOS); Farrell, Mark; Chiu, David; Chu, Carmen; Breed, London; Kim, Jane; Yee, Norman (BOS); Wiener, Scott; Campos, David; Cohen, Malia; John.Avalos@ci.sf.ca.us; Board of Supervisors
Cc: jonny_bravo23@yahoo.com
Subject: Re: Landlord - Harassment/Discrimination/Retaliation/Habitability, Mold issues.

Hello,

As I stated in emails dated May 16th, June 25th, July 9th and August 21st of 2013. I will continue to email you greedy selfish people until someone wakes up and looks at this as a CITY wide issue?

Here you go!! Power trip on this!!! Why pass the No Harassment/Hassle Free Housing "Ordinance" or should we talk about why not to pass it? Because then it would "Shift the Balance of Power" Let the Slumlords bully tenants to the point of being sued in civil court for BIG bucks. "Tenants WIN these" How stupid can one be? Being the President of the United States, Governor, Mayor or someone that has a seat on the Board of Supervisors Committee DOES GIVE YOU POWER OF STUPIDITY - Having a degree, such as a Bachelor, Masters, or

PhD/Doctorate.....Doesn't mean your "Educated" Look up the meaning of "Uneducated" (California - "The Land of Peter Pan")

Regards,

From: Jonathan Bullinger <jonny_bravo23@yahoo.com>

To: Jonathan Bullinger <jonny_bravo23@yahoo.com>; "mayoredwinlee@sfgov.org" <mayoredwinlee@sfgov.org>; "Eric.L.Mar@sfgov.org" <Eric.L.Mar@sfgov.org>; "Mark.Farrell@sfgov.org" <Mark.Farrell@sfgov.org>; "David.Chiu@sfgov.org" <David.Chiu@sfgov.org>; "Carmen.Chu@sfgov.org" <Carmen.Chu@sfgov.org>; "London.Breed@sfgov.org" <London.Breed@sfgov.org>; "Jane.Kim@sfgov.org" <Jane.Kim@sfgov.org>; "Norman.Yee@sfgov.org" <Norman.Yee@sfgov.org>; "Scott.Wiener@sfgov.org" <Scott.Wiener@sfgov.org>; "David.Campos@sfgov.org" <David.Campos@sfgov.org>; "Malia.Cohen@sfgov.org" <Malia.Cohen@sfgov.org>; "John.Avalos@ci.sf.ca.us" <John.Avalos@ci.sf.ca.us>; "Board.of.Supervisors@sfgov.org" <Board.of.Supervisors@sfgov.org>

Cc: "jonny_bravo23@yahoo.com" <jonny_bravo23@yahoo.com>

Sent: Wednesday, August 21, 2013 6:31 PM

Subject: Re: Landlord - Harassment/Discrimination/Retaliation/Habitability, Mold issues.

Hi,

As I stated in emails dated May 16th, June 25th, and July 9th of 2013 I will continue to email you greedy selfish people until someone wakes up and looks at this as a CITY wide issue?

I have NOW took action in another direction and filed a complaint with the HRC (Human Rights Commission) and it is being investigated. I will file a charge with the District Attorney's Office as well -

I will make it my sole duty to get others to vote to get those of you that act in "Discrimination Practices and other unfair, unethical" manners out of the office.

We all HAVE RIGHTS -

From: Jonathan Bullinger <jonny_bravo23@yahoo.com>

To: Jonathan Bullinger <jonny_bravo23@yahoo.com>; "mayoredwinlee@sfgov.org" <mayoredwinlee@sfgov.org>;

"Eric.L.Mar@sfgov.org" <Eric.L.Mar@sfgov.org>; "Mark.Farrell@sfgov.org" <Mark.Farrell@sfgov.org>;

"David.Chiu@sfgov.org" <David.Chiu@sfgov.org>; "Carmen.Chu@sfgov.org" <Carmen.Chu@sfgov.org>;

"London.Breed@sfgov.org" <London.Breed@sfgov.org>; "Jane.Kim@sfgov.org" <Jane.Kim@sfgov.org>;

"Norman.Yee@sfgov.org" <Norman.Yee@sfgov.org>; "Scott.Wiener@sfgov.org" <Scott.Wiener@sfgov.org>;

"David.Campos@sfgov.org" <David.Campos@sfgov.org>; "Malia.Cohen@sfgov.org" <Malia.Cohen@sfgov.org>;

"John.Avalos@ci.sf.ca.us" <John.Avalos@ci.sf.ca.us>; "Board.of.Supervisors@sfgov.org"

<Board.of.Supervisors@sfgov.org>

Sent: Tuesday, July 9, 2013 4:11 PM

Subject: Re: Landlord - Harassment/Discrimination/Retaliation/Habitability, Mold issues.

I will continue to send this email and any other information I see fit, to make sure this issue, and all SRO's and Slumlords that Harass, threaten tenants, and bully them out or force them out are looked into - and Action is taken. I understand, that in this city, people are out for there own good, pad your pockets and think you are all powerful but, at the end of the day your all just another human like anyone else you people will do what it takes to bring and keep others and the poor down well, as you people can see I will "FIGHT" for my rights and the rights of others in this city, all of you are greedy low paid? "The salaries of each of the 11 members of the Board of Supervisors will

increase by nearly \$2,000 next fiscal year, from \$96,549 to \$98,469, <----That was 2 years ago!!!

California the land of "Peter Pan" where everyone acts like children and NO one is an adult.....San Francisco Board of Supervisors on a power trip - you think having the ability to Pass a State Law or Ordinance makes you above the law? Well it doesn't I'm so sick and utterly tired, and appalled by the fact you people will vote to allow Slumlords to Harass, Bully and threaten tenants to no end and let it happen right under your BIG stuck up noises? Excuse ME!?!? I just started to vote this Year and I voted for Obama ;) I will make my vote work for these people this coming election! I my be just one little mind and one person with one voice but, hear me,

there are other Agency's in San Francisco that fight for TENANTS, and the rights we have such as; www.cjjc.org, www.hrc.org, www.dscs.org, www.sf-hrc.org. Just to name a few but, i'm sure you Greedy animals are aware of all these, and fight to cut funding needed to help Tenants fight SLUMLORDS!! I will be the NEXT Harvey Milk to fight for what is right and what is wrong with this world!!!!!! I won't back down until we are heard and we have won the battle with being treated like SHIT by SLUMLORDS. I as a Gay male will FIGHT for my rights for fair housing and the housing of others - Rights are NOT a Privilege RIGHTS are for all - Money can't buy you more or less RIGHTS do you people understand that? LAWS are LAWS, and many are broken and SLUMLORDS are banking BIG as the cost of it - Walk up and understand - this could all happen to you???

Regards,
Mr. B.

From: Jonathan Bullinger <jonny_bravo23@yahoo.com>

To whom it may concern,

As you know the cost of living in San Francisco is outrageous and to put up with this kind of BULLSHIT is Lubricious. If the Owner (Ken Patel) of Hotel Sunrise at 447 Valencia St. San Francisco, CA can continue to treat tenants in such a manner and have his hired help do the same is out of control. I have had about enough from this City and the BULLSHIT that walks it. I have rights, under the "FAIR HOUSING ACT" as well as rights under "SAN FRANCISCO TENANTS RIGHTS" this owner operates illegally everyday, with NO actions from the CITY, if he (THE SLUMLORD) is paying off GREEDY POLITICIANS TO NOT ACT OR SAY ANYTHING ABOUT SUCH DISGUSTING BEHAVIOR THEN SOMETHING HAS TO BE DONE. He nor does his Manager follow the Uniform Hotel Visitor Policy, He kicks guests out after 21 or 28 days or moves them to another room and keeps charging them on a weekly bases. RED FLAG FOR ILLEGAL VIOLATIONS, I AM SPEAKING OUT - I

WILL BE HEARD, I WILL FIGHT FOR MY RIGHTS AND FIGHT UNTIL JUSTICE IS SERVED ON THIS MATTER.

I have lived at my current residence for over 2 years now, after a battle with Landlord - Harassment/Discrimination/Retaliation and Habitability issues, Such as; Mold, Pest Control, to include Mice, Rats, Bed Bugs, Flea's, Cockroaches, as these problems are slowly be taking care of with a new Pest Control company I fear that the mice/rat issue is coming back, not to mention when a tenant brings up the issue or problem we are told it's because of us the tenants, that there are these problems in the building.

The level of Harassment and bullying from the owner and his front desk staff/ Manager is appalling, the Mold itself if a killer on my health as well as my partners - we also have two Service Dogs due to disabilities we each have. There has even been our electricity shut off or problems in our unit with lights, they have even shut off the water with NO warning or anything posted, the water has been an issue on and off with the Department of Building Inspection coming and going a number of times, not to mention the Department of Public Health also. The problems are abated to a cheap minor fix at NO cost to the Owner but, at the cost of my health my partners health our dogs and other tenants. This is just part of my complaint with the Owner and Manager of this SRO hotel. I am afraid to speak with the Manager about any issue as he is very hostile and has tried or currently trying to force us out of our unit. I feel he is trying to use Constructive eviction or bullying us out.

Below are also other on going Discrimination/Harassment's and Retaliation threats.

I met me Partner back in December of 2010 and started to visit him where he lived, in January of 2011 I started to visit daily and started staying at his place nightly for a total of 8 nights, due to a SRO Policy that gets over looked and played when it suits the SRO Front Desk Manager, While visiting I was harassed a number of times a day by the Managers wife and the Manager himself, I would stop and give my I.D. to the front desk,

after that go up to my Partners room, to later be harassed to leave at 9:00pm NO other tenants guests ever GET TREATED IN THIS MANNER OR harassed even to this day, after becoming a tenant (which I will explain) the Manager still allows guests to other tenants at any and all hours of the day, Which to me is very disturbing. So the Manager called the police on me and my partner to have me leave, so I did. The harassment has escalated to the point that the Hotel/SRO front Desk Manager has other tenants in on calling myself and my partner "FAGS" and other hate crime and discriminating/derogatory names such as (MORON, NEANDERTHAL, RETARD just to list a few) with yelling, screaming and bringing other nightly guests to our unit, after I ask that he does something about loud noises coming from up above us, I'm sick and utterly disgusted and tired of this type of behavior by this Manager and Own of the property. So, as I continue to visit and continue to stay the 8 nights as a stay over nightly guest my partner and I ask for an Application to become co-tenants and pay a \$20 Application fee, mind you this is NOT a real Application Process nor is it anything but, an SRO owned by a Slumlord and a very Hostile Manager at the front desk. So, I fill out the Application to wait over a week to get a letter stating my income was too low, again mind you i'm on permanent disability, and the rent was \$800 so they tried to up it to \$900 making my income lower than the rent even with my partner in the unit. We fought that and argued they could NOT do that. So, I was still denied. I waited to re-apply about a month later after I went to get my income adjusted to living with NO kitchen, I filled out another Application they tried asking for another Application fee, we DID not pay one. I waited longer this time, and was given another letter stating I was denied due to being "CONFRONTATIONAL" I said in a very upset manner it was illegal and that I would take action on the owner for "Discrimination" Because that is clearly what is going on. So, my partner and I fight back yet again, being openly gay males both being HIV + get Domestic Partnered and bring the certificate back to the Owner and Manager. The owner states it's not "VALID" until the rent is paid in full which was yet again illegal to dispute a legal bidding document from the State and County of San Francisco. My partner held part of the monthly

rent due to habitability issues not being addressed and taking seriously.

After that I was a tenant - but, things got ugly - the harassment got worse and so bad where the Manager would harass us at 1:00 AM asking us if we were showering, or just randomly coming to our room/unit to call us names. Talking to other tenants about us, and personal information being disclosed to others. We even went to an Agency called "Just Cause" to have letters written, and given to the manager and he did nothing, until we filed a "RENT Board" Dispute. A Rent Decrease in Services - he even called the Agency (Just Cause) to threaten them about writing us letters stating it was taxing and he would get the Hotel Owners Attorneys on this Agency. That's Disturbing all on it's own. The Agency told us NOT to worry, this behavior is "BULLY like, coming from this Hotel Owner and Manager and his wife. I will NOT let some SLUMLORD pay off "POLITICIANS" TO GET BY WITH THIS LUDICROUS SHIT. NOR, will I just sit and be HARASSED, DISCRIMINATED AGAINST BY HIS HIRED HELP THE MANAGER. IT'S C.R.I.M.I.N.A.L. AND ILLEGAL. YES I'M GAY, I DO NOT NEED TO BE CALLED A "FAGGOT" This harassment is out of line, out of control and something NEEDS to happen.

Regards,

Mr. Bullinger

From: Jonathan Bullinger <jonny_bravo23@yahoo.com>
To: "mayoredwinlee@sfgov.org" <mayoredwinlee@sfgov.org>; "Eric.L.Mar@sfgov.org" <Eric.L.Mar@sfgov.org>; "Mark.Farrell@sfgov.org" <Mark.Farrell@sfgov.org>; "David.Chiu@sfgov.org" <David.Chiu@sfgov.org>; "Carmen.Chu@sfgov.org" <Carmen.Chu@sfgov.org>; "London.Breed@sfgov.org" <London.Breed@sfgov.org>; "Jane.Kim@sfgov.org" <Jane.Kim@sfgov.org>; "Norman.Yee@sfgov.org" <Norman.Yee@sfgov.org>; "Scott.Wiener@sfgov.org" <Scott.Wiener@sfgov.org>; "David.Campos@sfgov.org" <David.Campos@sfgov.org>; "Malia.Cohen@sfgov.org" <Malia.Cohen@sfgov.org>; "John.Avalos@ci.sf.ca.us" <John.Avalos@ci.sf.ca.us>
Cc: "jonny_bravo23@yahoo.com" <jonny_bravo23@yahoo.com>
Sent: Thursday, May 16, 2013 12:08 AM
Subject: Landlord - Harassment/Discrimination/Retaliation/Habitability, Mold issues.

To whom it may concern,

As you know the cost of living in San Francisco is outrageous and to put up with this kind of BULLSHIT is Lubricious. If the Owner (Ken Patel) of Hotel Sunrise at 447 Valencia St. San Francisco, CA can continue to treat tenants in such a manner and have his hired help do the same is out of control. I have had about enough from this City and the BULLSHIT that walks it. I have rights, under the "FAIR HOUSING ACT" as well as rights under "SAN FRANCISCO TENANTS RIGHTS" this owner operates illegally everyday, with NO actions from the CITY, if he (THE SLUMLORD) is paying off GREEDY POLITICIANS TO NOT ACT OR SAY ANYTHING ABOUT SUCH DISGUSTING BEHAVIOR THEN SOMETHING HAS TO BE DONE. He nor does his Manager follow the Uniform Hotel Visitor Policy, He kicks guests out after 21 or 28 days or moves them to another room and keeps charging them on a weekly bases. RED FLAG FOR ILLEGAL VIOLATIONS, I AM SPEAKING OUT - I WILL BE HEARD, I WILL FIGHT FOR MY RIGHTS AND FIGHT UNTIL JUSTICE IS SERVED ON THIS MATTER.

I have lived at my current residence for over 2 years now, after a battle with Landlord - Harassment/Discrimination/Retaliation and Habitability issues, Such as; Mold, Pest Control, to include Mice, Rats, Bed Bugs, Flea's, Cockroaches, as these problems are slowly be taking care of with a new Pest Control company I fear that the mice/rat issue is coming back, not to mention when a tenant brings up the issue or problem we are told it's because of us the tenants, that there are these problems in the building. The level of Harassment and bullying from the owner and his front desk staff/ Manager is appalling, the Mold itself if a killer on my health as well as my partners - we also have two Service Dogs due to disabilities we each have. There has even been our electricity shut off or problems in our unit with lights, they have even shut off the water with NO warning or anything posted, the water has been an issue on and off with the Department of Building Inspection coming and going a number of times, not to mention the Department of Public Health also. The problems are abated to a cheap minor fix at NO cost to the Owner but, at the cost of my health my partners health our dogs and other tenants. This is just part of

my complaint with the Owner and Manager of this SRO hotel. I am afraid to speak with the Manager about any issue as he is very hostile and has tried or currently trying to force us out of our unit. I feel he is trying to use Constructive eviction or bullying us out.

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Regards,

Mr. Bullinger

To: Jonathan Bullinger <jonny_bravo23@yahoo.com>; "mayoredwinlee@sfgov.org" <mayoredwinlee@sfgov.org>; "Eric.L.Mar@sfgov.org" <Eric.L.Mar@sfgov.org>; "Mark.Farrell@sfgov.org" <Mark.Farrell@sfgov.org>; "David.Chiu@sfgov.org" <David.Chiu@sfgov.org>; "Carmen.Chu@sfgov.org" <Carmen.Chu@sfgov.org>; "London.Breed@sfgov.org" <London.Breed@sfgov.org>; "Jane.Kim@sfgov.org" <Jane.Kim@sfgov.org>; "Norman.Yee@sfgov.org" <Norman.Yee@sfgov.org>; "Scott.Wiener@sfgov.org" <Scott.Wiener@sfgov.org>; "David.Campos@sfgov.org" <David.Campos@sfgov.org>; "Malia.Cohen@sfgov.org" <Malia.Cohen@sfgov.org>; "John.Avalos@ci.sf.ca.us" <John.Avalos@ci.sf.ca.us>

Sent: Tuesday, June 25, 2013 6:35 PM

Subject: Re: Landlord - Harassment/Discrimination/Retaliation/Habitability, Mold issues.

To whom it may concern,

As you know the cost of living in San Francisco is outrageous and to put up with this kind of BULLSHIT is Lubricious. If the Owner (Ken Patel) of Hotel Sunrise at 447 Valencia St. San Francisco, CA can continue to treat tenants in such a manner and have his hired help do the same is out of control. I have had about enough from this City and the BULLSHIT that walks it. I have rights, under the "FAIR HOUSING ACT" as well as rights under "SAN FRANCISCO TENANTS RIGHTS" this owner operates illegally everyday, with NO actions from the CITY, if he (THE SLUMLORD) is paying off GREEDY POLITICIANS TO NOT ACT OR SAY ANYTHING ABOUT SUCH DISGUSTING BEHAVIOR THEN SOMETHING HAS TO BE DONE. He nor does his Manager follow the Uniform Hotel Visitor Policy, He kicks guests out after 21 or 28 days or moves them to another room and keeps charging them on a weekly bases. RED FLAG FOR ILLEGAL VIOLATIONS, I AM SPEAKING OUT - I WILL BE HEARD, I WILL FIGHT FOR MY RIGHTS AND FIGHT UNTIL JUSTICE IS SERVED ON THIS MATTER.

I have lived at my current residence for over 2 years now, after a battle with Landlord - Harassment/Discrimination/Retaliation and Habitability issues, Such as; Mold, Pest Control, to include Mice, Rats, Bed Bugs, Flea's, Cockroaches, as these problems are slowly be taking care of with a

new Pest Control company I fear that the mice/rat issue is coming back, not to mention when a tenant brings up the issue or problem we are told it's because of us the tenants, that there are these problems in the building.

The level of Harassment and bullying from the owner and his front desk staff/ Manager is appalling, the Mold itself is a killer on my health as well as my partners - we also have two Service Dogs due to disabilities we each have. There has even been our electricity shut off or problems in our unit with lights, they have even shut off the water with NO warning or anything posted, the water has been an issue on and off with the Department of Building Inspection coming and going a number of times, not to mention the Department of Public Health also. The problems are abated to a cheap minor fix at NO cost to the Owner but, at the cost of my health my partners health our dogs and other tenants. This is just part of my complaint with the Owner and Manager of this SRO hotel. I am afraid to speak with the Manager about any issue as he is very hostile and has tried or currently trying to force us out of our unit. I feel he is trying to use Constructive eviction or bullying us out.

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Cc: "jonny_bravo23@yahoo.com" <jonny_bravo23@yahoo.com>

Sent: Thursday, May 16, 2013 12:08 AM

Subject: Landlord - Harassment/Discrimination/Retaliation/Habitability, Mold issues.

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Regards,

Mr. Bullinger

From: Kevin Clark [kevinclark@yahoo.com]
Sent: Monday, September 09, 2013 1:19 PM
To: Board of Supervisors
Cc: Miller, Alisa
Subject: for Land Use meeting today at 1:30pm - please accept this public comment

For public comment:

Regarding Item #5, "130706, Administrative Code - Residential Rent Ordinance, Tenant Financial Hardship Applications for Relief from Landlord Passthrough of Capital Improvement Costs"

I support the legislation; I am writing to suggest an amendment to address a serious capital improvements issue:

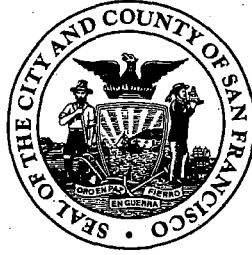
Currently, the Rent Board requires landlords to submit proof of cost for capital improvements. What they do not require is proof of code compliance, i.e., legally required building, plumbing, or electrical permits. I live in a rent-controlled building and am dealing with this very issue, being charged for handymen who've rebuilt parts of my building without any inspector checking the work was safe, as state and City laws require. Consider the case of electrical wiring, where fire danger from substandard work is very real.

The legislative intent of the original legislation allowing passthroughs to tenants was to improve San Francisco's housing stock. Implied in that is that work be done professionally and not shoddily. With a five-year window to file for these passthroughs, the tenant is at a disadvantage to challenge construction work done years before. It is problematic that the rent board can certify passthrough work that violates the law (\$500 per day fines for unpermitted work under the SF Housing Code). Just as landlords must attach receipts for improvement money spent, so too should they be required to show the work was done legally, by referencing permit numbers.

The Building Inspection Permit Process is the only check on repair work. Stated briefly, contractors apply for building permits and get them same day by paying the City fees. After the work is done, a City Inspector checks off that work is done properly. The landlord is in the best position to submit proof of permits at the time of application to the rent board for the passthrough. Kindly consider an amendment to require it, and thus ensure the betterment of housing stock and the public's health & safety.

Kevin Clark
Resident of District One
San Francisco

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Olson Lee, Director, Mayor's Office of Housing
Delene Wolf, Executive Director, Rent Board

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: July 19, 2013

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Economic Development Committee has received the following proposed legislation, introduced by Mayor Lee on July 9, 2013:

File No. 130706

Ordinance amending the Administrative Code to provide standards for Residential Tenant Financial Hardship Applications seeking relief from landlord passthrough of capital improvement costs to a tenant, and procedures for reviewing and deciding the applications; and to require landlord notice to tenants regarding financial hardship application procedures when a landlord applies for certification of capital improvement costs.

This matter is being forwarded to your department for informational purposes. If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Eugene Flannery, Mayor's Office of Housing

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: *ed* Mayor Edwin M. Lee *efe*
RE: Administrative Code - Residential Rent Ordinance, Tenant Financial
Hardship Applications for Relief from Landlord Pass through of Capital
Improvement Costs
DATE: July 9, 2013

Attached for introduction to the Board of Supervisors is the ordinance amending the Administrative Code to provide standards for Residential Tenant Financial Hardship Applications seeking relief from landlord pass through of capital improvement costs to a tenant, and procedures for reviewing and deciding the Applications; and to require landlord notice to tenants regarding financial hardship application procedures, when a landlord applies for certification of capital improvement costs.

Please note this item is cosponsored by Supervisor Chiu, Kim, Mar and Campos.

I request that this item be calendared in Land Use and Economic Development Committee.

Should you have any questions, please contact Jason Elliott (415) 554-5105.

cc. Supervisor David Chiu
Supervisor Jane Kim
Supervisor Eric Mar
Supervisor David Campos

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2013 JUL -9 PM 3:27

ed