

[Establishing an Elected Rent Board]

CHARTER AMENDMENT

PROPOSITION ____

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding a new Article VIA to establish an elected San Francisco Residential Rent Stabilization and Arbitration Board that would replace the existing appointed Rent Board.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 4, 2003, a proposal to amend the Charter of the City and County by adding Article VIA, Sections 6A.100 through 6A.102, to read as follows:

Note: Additions are *single-underline italics Times New Roman font*.
Deletions are ~~*strikethrough italics Times New Roman font*~~.

ARTICLE VIA

ELECTED RESIDENTIAL RENT STABILIZATION AND ARBITRATION BOARD

SEC. 6A.100. ESTABLISHMENT OF ELECTED RESIDENTIAL RENT STABILIZATION AND ARBITRATION BOARD.

1. Establishment of Elected Rent Board. There is hereby established a board to be known as the San Francisco Residential Rent Stabilization and Arbitration Board (hereinafter called "Rent Board"), consisting of seven members to be elected citywide. These elected officials of the City and County of San Francisco shall serve staggered four-year terms, as provided in this Article VIA.

2. Purpose. The purpose of the Rent Board is to provide for proper administration of programs to regulate residential rents; to protect tenants from unwarranted rent increases and arbitrary, discriminatory or retaliatory evictions; to insure landlords fair and adequate

rents; to help maintain the diversity of the San Francisco community; and to ensure compliance with legal obligations relating to the rental of housing.

3. Replacement of Appointed Board. Rent Board Members shall first be elected at the November 2004 election. In order to stagger the terms, three members shall initially serve two-year terms, and four members shall initially serve four-year terms. The initial two and four-year terms of office shall be instituted as follows: (a) The respective terms of office of members of the appointed Board who hold office on the 7th day of January, 2005, shall expire at 11:59 p.m. on that date, and the seven members elected at the November 2004 election shall succeed to said offices at that time; and, (b) The Clerk of the Board of Supervisors shall determine by lot which four of the elected members shall serve an initial four-year term, and which three of the elected members shall serve an initial two-year term. The elected Rent Board, upon taking office, replaces and supersedes the appointed Board established in Chapter 37 of the San Francisco Administrative Code. The elected Board shall assume each and every, all and singular, powers, duties, rights and responsibilities of said appointed Board.

4. Recall. Members shall be subject to recall pursuant to Charter Section 14.103.

5. Vacancies. If a vacancy occurs, it shall be filled as provided in Charter Section 13.101.5. Section 13.101.5(a) shall be read to include elected members of the Rent Board.

6. President and Vice-President. Commencing with the date upon which the first members take office, the Board shall elect a President and Vice-President from among its members.

SEC. 6A.101. THE EXECUTIVE DIRECTOR AND OTHER STAFF.

1. Executive Director. The position of Executive Director shall be established pursuant to and subject to Charter Sections 4.102 and 10.104. The person occupying the position of Executive Director shall be appointed by the President of the Board with the approval of a majority of the members.

2. Other Staff. All staff personnel shall be under the immediate direction and supervision of the Executive Director.

SEC. 6A.102. RESIDENTIAL RENT STABILIZATION AND ARBITRATION FUND, FEES, PAYMENT OF RENT BOARD MEMBERS AND REIMBURSEMENT FOR EXPENSES.

Pursuant to the budgetary and fiscal provisions of the Charter, the Board of Supervisors shall provide funds to pay for staff personnel, services and facilities as may be reasonably necessary to enable the Board to exercise its powers and perform its duties. A special fund to be known as the Residential Rent Stabilization and Arbitration Fund shall be established under the supervision and direction of the Board for the receipt of fees under this Chapter, such fees to be appropriated by the Board of Supervisors for the operation of the Board.

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

By: _____
Deputy City Attorney