

1 [Extending annual condominium conversion limitation.]

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3 **Ordinance amending the San Francisco Subdivision Code Article 9, section 1396 to**  
4 **extend the annual condominium conversion limitation for two additional years and**  
5 **providing for the conversion of specified buildings where a property owner submitted a**  
6 **subdivision application on or before January 21, 2003.**

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

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

11 Section 1. The San Francisco Subdivision Code is hereby amended by  
12 amending Article 9, section 1396, to read as follows:

13 **SEC. 1396. ANNUAL CONVERSION LIMITATION.** This Section governing annual  
14 limitation shall apply only to conversion of residential units.

15 Applications for conversion of residential units, whether vacant or occupied,  
16 shall not be accepted by the Department of Public Works during the period of January 1, 1994  
17 through December 31, ~~2002~~ 2004, inclusive, except that a maximum of 200 units, as selected  
18 yearly by lottery by the Department of Public Works from all eligible applicants, may be  
19 approved for conversion per year during the aforementioned period for the following  
20 categories of buildings:

21 (a) Buildings consisting of four units or less in which one of the units has  
22 been occupied continuously by one of the applicant owners of record for three years prior to  
23 the date of registration for the lottery as selected by the Director; or

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1 (b) Buildings consisting of six units or less in which 50 percent or more of the  
2 units have been occupied continuously by the applicant owners of record for three years prior  
3 to the date of registration for the lottery as selected by the Director; or

4 (c) Community apartments as defined in Section 1308 of this Code, which,  
5 on or before December 31, 1982, met the criteria for community apartments in Section 1308  
6 of this Code and which were approved as a subdivision by the Department of Public Works on  
7 or before December 31, 1982, and where 75 percent of the units have been occupied  
8 continuously by the applicant owners of record for three years prior to the date of registration  
9 for the lottery as selected by the Director.

10 The conversion of a stock cooperative as defined in Section 1308 of this Code to  
11 condominiums shall be exempt from the annual limitation imposed on the number of  
12 conversions in this Section and from the requirement to be selected by lottery where 75  
13 percent of the units have been occupied continuously by the applicant owners of record for  
14 three years prior to the date of registration for the lottery as selected by the Director.

15 No application for conversion of a residential building submitted by a registrant  
16 shall be approved by the Department of Public Works to fill the unused portion of the 200-unit  
17 annual limitation for the previous year.

18 Section 2. Notwithstanding the owner-occupancy requirement of Subdivision Code  
19 section 1359(c), any property owner that submitted an application to the Department of Public  
20 Works for conversion of a two-unit building on or before January 21, 2003, may convert  
21 pursuant to all other applicable provisions of Subdivision Code if at least one unit was owner-  
22 occupied for one year prior to the application for conversion.

23 Section 3. Any property owner that won the right to convert in the 2002 condominium  
24 conversion lottery and submitted an application to the Department of Public Works for  
25 conversion of a two-, three-, four-, five- or six-unit building on or before January 21, 2003, may

1 convert pursuant to the provisions of the Subdivision Code; provided, however, that the  
2 following provisions shall apply:

3 (a) Notwithstanding the owner-occupancy requirements of Subdivision Code section  
4 1396, only one of the units had to be occupied continuously by one of the applicant owners of  
5 record for three years prior to the date of registration for the 2002 condominium lottery; and

6 (b) The tenant intent to purchase provisions of section 1388 can be satisfied if at least  
7 one tenant in a building containing two or three units or at least two tenants from two separate  
8 units in a building containing four, five, or six units sign the requisite intent to purchase form.

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

12 By: \_\_\_\_\_  
13 John D. Malamut  
14 Deputy City Attorney

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