

1 [Administrative Code - Cleaning Standards and Health Information Protocols for Single Room
2 Occupancy Hotels]

3 **Ordinance amending the Administrative Code to update protections for occupants of**
4 **Single Room Occupancy (SRO) hotels by replacing hotel operators’ responsibility to**
5 **clean common areas after a COVID-19 outbreak with a new minimum cleaning standard**
6 **and upon request, requiring SRO hotel operators to provide contact tracing information**
7 **related to any infectious or contagious disease; during the COVID-19 pandemic, to**
8 **require the Department of Public Health (DPH) to maintain a telephone hotline to**
9 **respond to questions from SRO residents regarding isolation and quarantine, testing,**
10 **and other COVID-19 related matters; and to update COVID-19 regulations by removing**
11 **outdated provisions including those related to notice of and access to isolation and**
12 **quarantine hotels, DPH responsibilities to post in SRO hotels information related to**
13 **isolation and quarantine, and DPH responsibilities to maintain public facing data**
14 **relating to COVID-19 cases in SRO Hotels.**

15 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
16 **Additions to Codes** are in *single-underline italics Times New Roman font*.
17 **Deletions to Codes** are in ~~*strikethrough italics Times New Roman font*~~.
18 **Board amendment additions** are in double-underlined Arial font.
19 **Board amendment deletions** are in ~~strikethrough Arial font~~.
20 **Asterisks (* * * *)** indicate the omission of unchanged Code
21 subsections or parts of tables.

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

23 Section 1. Chapter 41G of the Administrative Code is hereby amended by revising
24 Sections 41G.1, 41G.2, and 41G.3 and deleting Sections 41G.6 and 41G.7, to read as
25 follows:

SEC. 41G.1. NAME, FINDINGS, AND PURPOSE.

1 (a) Name of Ordinance. This Chapter 41G shall be known as the “Health Protections for
2 Residential Hotels Ordinance.”

3 (b) Findings.

4 (1) On February 25, 2020, Mayor London Breed proclaimed a state of
5 emergency in response to the COVID-19 pandemic. On March 3, 2020, the Board of
6 Supervisors concurred in the February 25 Proclamation.

7 ~~(b) On March 10, 2020, the County Health Officer issued Order No. C19-04, directing~~
8 ~~Residential Hotel owners and operators to comply with mandatory cleaning standards in all common~~
9 ~~areas, in recognition of the fact that a high percentage of Residential Hotel residents are 60 years of~~
10 ~~age or older and/or experience serious health complications, and that conditions in such hotels often~~
11 ~~present environmental problems such as mold growth, poor sanitation, broken plumbing, and poor~~
12 ~~ventilation. Although Order No. C19-04 requires Residential Hotel operators to fully and immediately~~
13 ~~comply with environmental cleaning standards, including making hand soap and hand sanitizer~~
14 ~~available in communal areas, compliance has been limited by operators’ inability to access a reliable~~
15 ~~source of hand sanitizer and to install dispensers into bathrooms.~~

16 ~~(c) On March 16, 2020, the County Health Officer issued Order No. C19-07, replaced by~~
17 ~~Order No. C19-07b on March 31, 2020, extended and replaced by Order No. C19-07c on April 29,~~
18 ~~2020, directing San Franciscans to stay in their homes and follow social distancing requirements when~~
19 ~~outside the home. Social distancing requires that individuals maintain at least six feet between~~
20 ~~themselves and individuals who are not part of the same household or living unit (“Stay Safer At Home~~
21 ~~Order”). The County Health Officer issued subsequent iterations of the Stay Safer at Home Order. On~~
22 ~~December 9, 2020, the County Health Officer issued C19-07q, which superseded the previous Stay~~
23 ~~Safer At Home Orders.~~

24 ~~(d) On May 1, 2020, the County Health Officer issued Directive No. 2020-02, and updated in~~
25 ~~Directive No. 2020-02(e) issued August 5, 2020, directing all individuals exposed to a person~~

1 ~~diagnosed with or likely to have COVID-19 to self-quarantine, and Directive No. 2020-03, and updated~~
2 ~~in Directive No. 2020-02(e) issued August 5, 2020, directing all individuals diagnosed with or likely to~~
3 ~~have COVID-19 to self-isolate. Individuals who are directed to self-quarantine or self-isolate under the~~
4 ~~County Health Officer's orders must remain in their homes and separate from others.~~

5 ~~—(e) Individuals who live in Residential Hotels often share restrooms, cooking facilities, and~~
6 ~~other common areas with people who are not members of their household, putting them in frequent and~~
7 ~~close contact with other individuals many of whom are members of vulnerable populations in light of~~
8 ~~their age, health conditions, and other vulnerabilities.~~

9 ~~—(f) Along with most of the rest of the country and State, San Francisco is in the midst of a~~
10 ~~third surge of the virus. In October, November, and December of 2020, San Francisco's case rates and~~
11 ~~hospitalizations continued to increase, and COVID-19 cases quadrupled during November 2020. As of~~
12 ~~December 9, 2020, San Francisco had approximately 900 COVID-19 cases diagnosed per week and~~
13 ~~hospitalizations had tripled over the past month. These alarming trends mean that occupants of~~
14 ~~Residential Hotels continue to be especially vulnerable to contracting COVID-19, and the City must~~
15 ~~continue to provide protections for these individuals so that they will be able to comply with the County~~
16 ~~Health Officer's social distancing requirements, self-quarantine directive, and self-isolation directive.~~

17 (2) On March 4~~031~~, 2022, the County Health Officer issued Order No. C19-07y (the
18 “Safer Return Together Order”). The Safer Return Together Order, among other public health
19 requirements and recommendations, continues to direct San Franciscans to follow Health Officer
20 Directives 2020-03f (“Isolation Directive”) and 2020-02g (“Quarantine Directive”). Issued in
21 updated form on ~~December 30, 2021~~April 8, 2022, the Isolation Directive generally requires
22 individuals who test positive for, are diagnosed with, or are experiencing symptoms of COVID-19 to
23 isolate if and to the extent required by current California Department of Public Health guidance on
24 isolation and quarantine. Issued in updated form on ~~January 10~~April 8, 2022, the Quarantine
25 Directive generally requires individuals who have been exposed to a person who tested positive for or

1 was diagnosed with COVID-19 to quarantine if and to the extent required by follow current
2 California Department of Public Health guidance on isolation and quarantine.

3 (3) A high percentage of SRO Residents are 60 years of age or older and/or experience
4 serious health complications. Conditions in Residential Hotels often present environmental problems
5 such as mold growth, poor sanitation, broken plumbing, and poor ventilation. These environmental
6 problems can exacerbate negative health consequences for SRO Residents.

7 (4) SRO Residents regularly use Common Areas for daily activities such as building
8 access and unit access, cooking, eating, personal hygiene, social gathering, and entertainment. Many
9 SRO Residents share common faucets, toilets, showers, and washing stations with other SRO Residents
10 who are not part of the same household. High Touch Surfaces within these facilities serve as points of
11 transmission for infectious or contagious diseases such as shigellosis, hepatitis, and norovirus. And
12 Residential Hotels have in the past experienced outbreaks of some of these and other contagious
13 diseases.

14 (5) Properly Cleaning and Disinfecting these surfaces using effective disinfecting
15 cleaning agents and properly washing hands with soap and water or, if soap is not available,
16 applying to hands an alcohol-based hand sanitizer with at least 60% alcohol content, destroys
17 most pathogens and substantially lessens the likelihood of transmission of contagious disease between
18 SRO Residents from different households.

19 (c) Purpose. The purpose of the Health Protections for Residential Hotels Ordinance is to
20 establish general cleaning and disinfecting standards in common areas of Residential Hotels, to
21 provide SRO Residents improved access to information regarding housing rights, and in the context of
22 the COVID-19 pandemic, to provide SRO Residents information regarding public health resources and
23 isolation and quarantine requirements.

24
25 **SEC. 41G.2. DEFINITIONS.**

1 For purposes of this Chapter 41G, the following terms shall have the following
2 meanings:

3 “City” means the City and County of San Francisco.

4 ~~—“Close Contact” has the meaning set forth in County Health Officer Directives Nos. 2020-02
5 and 2020-03, as may be amended from time to time.~~

6 “Clean and Disinfect” means (1) cleaning visible dirt or soiling from a surface and (2) in
7 accordance with product labeling or instructions, disinfecting the surface using a disinfectant product
8 registered by the United States Environmental Protection Agency as effective against common
9 pathogens.

10 “Common Areas” means indoor spaces to which SRO Residents from more than one
11 Residential Unit have access, including but not limited to lobbies, stairwells, elevators, hallways,
12 lounges, dining rooms, kitchens, laundry facilities, and bathrooms.

13 “COVID-19” means coronavirus disease 2019, the disease caused by the SARS-CoV-2 virus
14 and that resulted in a global pandemic starting in the early months of 2020.

15 ~~—“DPH” “Department” means the Department of Public Health.~~

16 “Director” means the Director of Health or the Director’s designee.

17 “High Touch Surfaces” means surfaces found in Common Areas that are frequently touched
18 by SRO Residents including but not limited to doors, door handles, light switches, railings, drawers,
19 faucets, and appliances.

20 ~~—“I/Q Hotel Room” means a solitary isolation or quarantine hotel room provided to an SRO
21 resident as determined by DPH public health protocol. “I&Q Directives” means (1) Health Officer
22 Directive 2020-03f, issued ~~December 1, 2021~~ April 8, 2022 and (2) Health Officer Directive 2020-
23 02g, issued ~~January 10~~ April 8, 2022, both as they may be superseded, replaced, or updated.~~

24 “Operator” has the meaning set forth in Administrative Code Section 41.4, as may be
25 amended from time to time.

1 "Owner" has the meaning set forth in Administrative Code Section 41.4, as may be
2 amended from time to time.

3 "Residential Hotel" has the meaning set forth in Administrative Code Section 41.4, as
4 may be amended from time to time. A Residential Hotel is often informally referred to as a "Single
5 Room Occupancy" Hotel or "SRO" Hotel.

6 "Residential ~~Hotel~~ Unit" has the meaning set forth in Administrative Code Section
7 41.4, as may be amended from time to time.

8 "Safer Return Together Order" means the series of County Health Officer orders, beginning
9 with No. C19-07, issued on March 16, 2020 and previously titled the Stay Safer at Home Order, and
10 updated on March 4~~0~~³¹, 2022 as Order No. C19-07y. The Safer Return Together Order includes any
11 subsequent County Health Officer order that replaces, supersedes, or updates the Safer Return
12 Together Order.

13 "SRO Resident" means an individual who occupies a Residential U~~n~~it within a
14 Residential Hotel.

15 ~~"Stay Safer At Home Order" means the series of County Health Officer Orders, beginning~~
16 ~~with No. C19-07, issued On March 16, 2020, directing San Franciscans to stay in their homes and~~
17 ~~follow social distancing requirements when outside their residence, which have been revised and~~
18 ~~updated during the intervening months to address changing conditions. Order No. 19-07q, issued~~
19 ~~December 9, 2020, continues to exempt individuals experiencing homelessness from these~~
20 ~~requirements, and urges such individuals to obtain shelter. As of December 15, 2020, Order No. 19-~~
21 ~~07q was the most recent Stay Safer at Home Order, but this definition includes any subsequent Stay~~
22 ~~Safer at Home Order issued by the County Health Officer.~~

23
24 **SEC. 41G.3. POLICIES AND PROTOCOLS TO PROTECT OCCUPANTS OF**
25 **RESIDENTIAL HOTELS.**

1 (a) Resources for SRO Residents. Each Residential Hotel shall post in a common area
2 where fire safety information is required to be posted:

- 3 (1) The telephone number of the Eviction Defense Collaborative;
- 4 (2) The telephone numbers of the Single Room Occupancy Collaboratives;
- 5 (3) The telephone number of the Residential Hotel's Operator or on-site

6 representative, so that City representatives, essential service workers, home-care providers,
7 and other persons can obtain prompt access to the building in order to serve the SRO
8 Residents; and

- 9 (4) A copy of this Chapter 41G.

10 (b) Generally Applicable Cleaning and Sanitation Requirements. The Owner or Operator
11 of a Residential Hotel shall Clean and Disinfect all High Touch Surfaces in Common Areas within the
12 Residential Hotel no fewer than two times at least once per day or more frequently if surfaces
13 become visibly soiled or if otherwise directed by the Department. The Owner or Operator of a
14 Residential Hotel shall ensure that soap or hand sanitizer dispensers are available in all
15 Common Areas within the Residential Hotel and shall confirm at least once per day that all
16 dispensers are functioning and adequately filled with either handwashing soap or an alcohol-
17 based hand sanitizer of at least 60% alcohol content. The Owner or Operator of a Residential
18 Hotel must maintain a cleaning log demonstrating compliance with this subsection 41G.3(b) and must
19 upon demand by Department employees immediately present the cleaning log for inspection. A
20 violation of the Cleaning and Disinfecting standards in this subsection 41G.3(b) may, in the
21 discretion of the Director, be deemed a threat to public health and safety constituting a public nuisance
22 in accordance with Article 11 of the Health Code.

23 (bc) COVID-19 Isolation or Quarantine Assistance. It shall be the policy of the City to
24 place The Department shall assist SRO Residents who may have been exposed to COVID-19 in
25 understanding the requirements of the I&Q Directives I/Q Hotel Rooms for a period of up to 14 days,

1 ~~or as directed by the County Health Officer, if they meet the standards for isolation or quarantine~~
2 ~~established by County Health Officer Directives Nos. 2020-02(c) and 2020-03(c), as may be amended~~
3 ~~from time to time, and to provide transportation for such residents from the Residential Hotel where~~
4 ~~they reside to the I/Q Hotel Room. The Department shall maintain a COVID-19 telephone hotline for~~
5 ~~SRO Residents to access public health information related to COVID-19 including information~~
6 ~~regarding testing resources and the I&Q Directives. Persons who call the telephone hotline may be~~
7 ~~screened for symptoms and referred to a neighborhood-based and culturally competent medical~~
8 ~~provider for testing. This subsection 41G.3(c) shall expire by operation of law upon termination,~~
9 ~~suspension, or expiration of one or both of the I&Q Directives; if only one of the directives terminates,~~
10 ~~is suspended, or expires, then this subsection shall expire by operation of law only as it pertains to that~~
11 ~~directive. Upon expiration of this subsection 41G.3(c) in its entirety, the City Attorney is authorized to~~
12 ~~cause this subsection to be removed from the Administrative Code.~~

13 (d) Right to Return Following Isolation or Quarantine. Nothing in this Chapter 41G shall in
14 any way affect an SRO Resident's right to return to their ~~ir~~ Resident's Residential Unit following
15 a temporary absence due to ~~being placed in a period of~~ isolation or quarantine at a different
16 location. Further, a temporary absence due to ~~being placed in a period of~~ isolation or quarantine
17 shall not constitute a failure to continuously reside in the unit for purposes of Chapter 37 of the
18 Administrative Code.

19 ~~—(c) SRO Residents who are placed by DPH in I/Q Hotel Rooms shall be provided at no cost~~
20 ~~to the resident the following essential services and amenities during their placement:~~

- 21 ~~—(1) Three meals per day;~~
- 22 ~~—(2) Adequate heat; and~~
- 23 ~~—(3) Clean restroom facilities.~~

24 ~~—(d) If an SRO Resident refuses to be placed in an I/Q Hotel Room, DPH shall make every~~
25 ~~reasonable effort to identify and address the resident's barriers to acceptance of the unit, by, among~~

1 ~~other things, making arrangements to care for the SRO Resident's pet, making and maintaining~~
2 ~~connections with the SRO Resident's family, and identifying ways to care for the SRO Resident's~~
3 ~~dependents.~~

4 (e) Language Access. In carrying out the requirements of this Chapter 41G, the City
5 shall comply with the requirements of the Language Access Ordinance, Administrative Code
6 Chapter 91, as amended from time to time, including, but not limited to, the requirement to
7 translate materials that provide vital information to the public about a department's services or
8 programs into the language(s) spoken by a substantial number of limited English-speaking
9 SRO Residents.

10 ~~(f) Upon confirming that an SRO Resident has tested positive for COVID-19, DPH shall, to~~
11 ~~the extent consistent with state and federal laws governing the confidentiality of medical information:~~

12 ~~— (1) As soon as feasible, but not more than 12 hours after receiving such confirmation,~~
13 ~~prominently post in areas of the Residential Hotel where fire safety information is required to be~~
14 ~~posted, a notice to advise SRO Residents of their rights under this Chapter 41G to access I/Q Hotel~~
15 ~~Rooms and COVID-19 testing. Such notice shall include, but not be limited to, the number of the~~
16 ~~language-accessible COVID-19 telephone hotline for SRO Residents that residents may call to access~~
17 ~~these resources.~~

18 ~~— (2) Order the Owner or Operator of the SRO to clean all common areas in the Residential~~
19 ~~Hotel, consistent with the Minimum Environmental Cleaning Standards established and updated by the~~
20 ~~County Health Officer in Order No. C19-04, as amended from time to time, or provide access to the~~
21 ~~Residential Hotel by a City contracted cleaning service to perform this cleaning function and provide a~~
22 ~~list of City-approved cleaning services.~~

23 ~~— (3) Provide the SRO Resident with written information about the SRO Resident's ability to~~
24 ~~be transferred to an I/Q Hotel Room, and to receive meals and other services during placement in an~~
25

1 ~~I/Q Hotel Room, and the SRO Resident's subsequent right to return to the SRO's Resident's Residential~~
2 ~~Unit, which information the SRO Resident may provide to the Residential Hotel Owner or Operator.~~

3 ~~—(g) During any period in which an SRO Resident has been placed by DPH in an I/Q Hotel~~
4 ~~Room, the Owner or Operator of the SRO from which the SRO Resident was transferred shall not enter~~
5 ~~the SRO Resident's unit except to address conditions that possibly pose an immediate threat to the~~
6 ~~health or safety of other SRO Residents.~~

7 ~~—(h) Within three days of the effective date of this Chapter 41G, DPH shall establish a~~
8 ~~COVID-19 telephone hotline for SRO Residents to ask questions about accessing COVID-19 health~~
9 ~~screenings, testing, and I/Q Hotel Rooms, including for those SRO Residents without access to a health~~
10 ~~care provider. The SRO Hotline shall provide interpreters to permit communication with persons who~~
11 ~~have limited English proficiency. Persons who call the SRO Hotline may be screened for symptoms and~~
12 ~~referred to a neighborhood-based and culturally competent medical provider for testing.~~

13 ~~—(i) To protect the health and safety of SRO Residents and the public, all persons, including~~
14 ~~but not limited to, Residential Hotel Operators, staff, SRO Residents, essential workers, repair people,~~
15 ~~in-home care workers, and delivery workers, shall comply with social distancing requirements and~~
16 ~~wear face coverings in the common areas of Residential Hotels.~~

17 ~~—(j) Failure to comply with County Health Officer Orders regarding social distancing and~~
18 ~~face coverings is punishable by fine, imprisonment, or both, as set forth in the County Health Officer~~
19 ~~Orders.~~

20 ~~—(k) To the extent consistent with state and federal laws governing the confidentiality of~~
21 ~~medical information, DPH shall produce the following data on a daily basis for inclusion in the City's~~
22 ~~COVID-19 Data Tracker:~~

23 ~~—(1) The total number of Residential Hotels citywide with confirmed COVID-19 cases;~~

24 ~~—(2) The total number of confirmed positive COVID-19 cases in San Francisco, and the rate~~
25 ~~of cases by population size in San Francisco organized by census tract;~~

1 —(3) ~~The total number of SRO Residents who have completed an isolation or quarantine stay~~
2 ~~in one of the City's I/Q Hotel Rooms; and~~

3 —(4) ~~The total number of SRO Residents who have died due to complications from the~~
4 ~~COVID-19 virus.~~

5 —(l) ~~To the extent consistent with state and federal laws governing the confidentiality of~~
6 ~~medical information, in the event there is a COVID-19 outbreak at an SRO, as defined by California~~
7 ~~Department of Public Health guidance governing outbreaks in non-healthcare congregate facilities to~~
8 ~~mean at least three probable or confirmed COVID-19 cases within a 14-day period in residents from~~
9 ~~different households and/or staff, DPH shall work as quickly as feasible to notify all SRO Residents of a~~
10 ~~possible exposure, and refer them to COVID-19 testing and resources to support placement in I/Q~~
11 ~~Hotel Rooms.~~

12 (f) Contact Tracing. Where necessary to facilitate contact tracing and testing for any
13 infectious or contagious disease, the Residential Hotel's Owner or Operator shall, upon the
14 Department's request, provide the DepartmentDPH with access to a list of all SRO Residents,
15 including name and contact information, who have occupied, and individuals who have
16 worked at, the Residential Hotel during the ~~previous~~ two-week period before the Department's
17 requests~~since confirmation of the COVID-19 outbreak.~~

18
19 ~~**SEC. 41G.6. SUNSET OF EMERGENCY ORDINANCE.**~~

20 ~~If the emergency ordinance on file with the Clerk of the Board of Supervisors in File No.~~
21 ~~201285 is reenacted and remains in effect as of the effective date of this Chapter 41G, that emergency~~
22 ~~ordinance shall sunset on the effective date of this Chapter.~~

23
24 ~~**SEC. 41G.7. SUNSET DATE.**~~

1 ~~—This Chapter 41G shall expire by operation of law 60 days after termination or expiration of~~
2 ~~the Stay Safer At Home Order. Upon expiration of this Chapter, the City Attorney shall cause the~~
3 ~~Chapter to be removed from the Administrative Code.~~

4
5 Section 2. Effective Date. This ordinance shall become effective 30 days after
6 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
7 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
8 of Supervisors overrides the Mayor’s veto of the ordinance.

9
10 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
11 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
12 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
13 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
14 additions, and Board amendment deletions in accordance with the “Note” that appears under
15 the official title of the ordinance.

16
17 APPROVED AS TO FORM:
18 DAVID CHIU, City Attorney

19 By: /s/ Michael Gerchow
20 MICHAEL GERCHOW
21 Deputy City Attorney

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