

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

LAND USE AND TRANSPORTATION COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Aaron Peskin, Chair, Land Use and Transportation Committee

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: June 9, 2020

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, June 9, 2020

The following file should be presented as a **COMMITTEE REPORT** at the Board meeting, Tuesday, June 9, 2020. This item was acted upon at the Committee Meeting on Monday, June 8, 2020, at 1:30 p.m., by the votes indicated.

Item No. 19 **File No. 200375**

Ordinance amending the Administrative Code to prohibit landlords from evicting residential tenants for non-payment of rent that was not paid due to the COVID-pandemic; to prohibit landlords from imposing late fees, penalties, or similar charges on such tenants; and making findings as required by the California Tenant Protection Act of 2019.

AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE

Vote: Supervisor Aaron Peskin - Aye
Supervisor Ahsha Safai - Aye
Supervisor Dean Preston - Aye

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Aaron Peskin - Aye
Supervisor Ahsha Safai - Aye
Supervisor Dean Preston - Aye

c: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy
Anne Pearson, Deputy City Attorney
Kristen Jensen, Deputy City Attorney

File No. 200375 Committee Item No. 1
Board Item No. 19

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date June 8, 2020
Board of Supervisors Meeting Date June 9, 2020

Cmte Board

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Completed by: Erica Major Date June 5, 2020
Completed by: Erica Major Date _____

1 [Administrative Code - COVID-19 Tenant Protections]

2

3 **Ordinance amending the Administrative Code to prohibit landlords from evicting**
4 **residential tenants for non-payment of rent that was not paid due to the COVID-**
5 **pandemic; to prohibit landlords from imposing late fees, penalties, or similar charges**
6 **on such tenants; and making findings as required by the California Tenant Protection**
7 **Act of 2019.**

8

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
12 **Board amendment additions** are in double-underlined Arial font.
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

13

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

15

16 Section 1. Purpose and Findings.

17 (a) The City and County of San Francisco is facing an unprecedented public health
18 and economic crisis due to the COVID-19 pandemic. The Mayor has responded with a series
19 of emergency orders, including an eviction moratorium that gives tenants who have suffered a
20 financial impact due to COVID-19 an extension of time to pay their rent (hereafter, the
21 “Eviction Moratorium”). The Mayor issued the Eviction Moratorium on March 13, 2020 and
22 updated it ~~on March 23, 2020~~ most recently on April 30, 2020, and currently it ~~only~~ applies to
23 rent payments missed in April, May, and June. But the Eviction Moratorium allows tenants to
24 be evicted if they have not paid their past due rent once the extension expires, and many
25 tenants have lost their jobs and many businesses have closed. If these trends worsen or if

1 the emergency continues, tenants may find themselves in an ever deepening financial hole,
2 with the result that a large wave of evictions for nonpayment of rent is likely to follow once the
3 extension period ends. It is essential to address this looming danger – an impending crisis in
4 its own right. The City has a shortage of affordable rental housing, and a significant
5 percentage of its households are renters and at risk of permanent displacement should they
6 be forced to leave their current homes. Many potentially impacted renters are also essential
7 workers, and the City could be at even greater risk in the event of a future pandemic if they
8 are displaced.

9 (b) On March 16, 2020, the Governor issued Executive Order N-28-20 (the “Executive
10 Order”), which found that the COVID-19 pandemic is having severe impacts throughout the
11 State, and recognized that local jurisdictions must take measures based on their particular
12 needs to preserve and increase housing security, and to protect public health and mitigate the
13 economic effects of the pandemic. To encourage such efforts, Paragraph 2 of the Executive
14 Order authorized local governments to impose substantive limitations on residential evictions
15 for tenants who are unable to pay rent through May 31, 2020 due to the pandemic (or a later
16 date if extended by the Governor), and suspended any provisions of state law that would
17 otherwise preempt local governments from enacting such measures. On May 29, 2020, the
18 Governor issued Executive Order N-66-20, which extended Paragraph 2 of Order N-28-20 by
19 an additional 60 days.

20 (c) The Board of Supervisors finds it is in the public interest to prevent tenant
21 displacement in San Francisco due to the COVID-19 pandemic to the maximum extent
22 permitted by law. Pursuant to its regular authority and consistent with Paragraph 2 of the
23 Executive Order, the protections of this ordinance shall apply only to rent payments that a
24 tenant was unable to pay due to the COVID-19 pandemic during the period from March 16,
25 2020 through ~~May 31~~ July 29, 2020 (or if the Governor extends the ~~May 31~~ July 29 date,

1 through the date of extension). This ordinance shall not apply to rent payments that become
2 due after the ~~May 31~~July 29 date (or, if the Governor extends the ~~May 31~~July 29 date, after
3 the date of extension).

4 (d) This ordinance is intended to prevent tenants from being evicted due to having
5 suffered a financial impact that arose out of the COVID-19 pandemic. As compared to the just
6 cause protections of the California Tenant Protection Act of 2019 (“AB 1482”), this ordinance
7 further limits the permissible reasons for termination of a residential tenancy and provides
8 additional tenant protections. The Board of Supervisors therefore finds that this ordinance is
9 more protective of tenants than AB 1482, and intends that the Rent Ordinance (as hereby
10 amended) shall apply rather than AB 1482.

11 (e) The Board of Supervisors intends to create a COVID-19 Rent Resolution and
12 Relief Fund by separate legislation to provide support to eligible landlords whose tenants are
13 unable to pay rent due to the financial impacts of the COVID-19.

14
15 Section 2. The Administrative Code is hereby amended by revising Section 37.9, to
16 read as follows:

17 **SEC. 37.9. EVICTIONS.**

18 Notwithstanding Section 37.3, this Section 37.9 shall apply as of August 24, 1980, to all
19 landlords and tenants of rental units as defined in Section 37.2(r).

20 (a) A landlord shall not endeavor to recover possession of a rental unit unless:

21 (1) The tenant:

22 (A) Has failed to pay the rent to which the landlord is lawfully entitled
23 under the oral or written agreement between the tenant and landlord:

24 * * * *

25 (B) Habitually pays the rent late; or

1 (C) Gives checks which are frequently returned because there are
2 insufficient funds in the checking account; ~~or~~

3 (D) Provided, however, that subsection (a)(1) shall not apply with respect to
4 rent payments that initially became due during the time period when paragraph 2 of the Governor's
5 Executive Order No. N-28-20 (as said time period may be extended by the Governor from time to time)
6 was in effect, and where the tenant's failure to pay (i) arose out of a substantial decrease in household
7 income (including, but not limited to, a substantial decrease in household income caused by layoffs or a
8 reduction in the number of compensable hours of work, or substantial out-of-pocket expenses; (ii) that
9 was caused by the COVID-19 pandemic, or by any local, state, or federal government response to
10 COVID-19; and (iii) is documented. The types of documentation that a tenant may use to show an
11 inability to pay due to COVID-19 may include, without limitation, bank statements, pay stubs,
12 employment termination notices, proof of unemployment insurance claim filings, sworn affidavits, and
13 completed forms prepared by the Rent Board. A tenant shall have the option, but shall not be required,
14 to use third-party documentation such as a letter from an employer to show an inability to pay. The
15 provisions of this subsection (a)(1)(D), being necessary for the welfare of the City and County of San
16 Francisco and its residents, shall be liberally construed to effectuate its purpose, which is to protect
17 tenants from being evicted for missing rent payments due to the COVID-19 pandemic. Nothing in this
18 subsection (a)(1)(D) shall relieve a tenant of the obligation to pay rent, nor restrict a landlord's ability
19 to recover rent due; or

20 (2) The tenant has violated a lawful obligation or covenant of tenancy other
21 than the obligation to surrender possession upon proper notice or other than an obligation to
22 pay a charge prohibited by Police Code Section 919.1, the violation was substantial, and the
23 tenant fails to cure such violation after having received written notice thereof from the
24 landlord.

25 * * * *

1 (D) Before endeavoring to recover possession based on the violation of
2 a lawful obligation or covenant of tenancy regarding subletting or limits on the number of
3 occupants in the rental unit, the landlord shall serve the tenant a written notice of the violation
4 that provides the tenant with an opportunity to cure the violation in 10 or more days. The
5 tenant may cure the violation by making a written request to add occupants referenced in
6 Subsection (A), (B), or (C) of Section 37.9(a)(2) or by using other reasonable means to cure
7 the violation, including, without limitation, the removal of any additional or unapproved
8 occupant. Nothing in this Section 37.9(a)(2)(D) is intended to limit any other rights or remedies
9 that the law otherwise provides to landlords. ~~---~~

10 (E) Notwithstanding any lease provision to the contrary, a landlord may not
11 impose late fees, penalties, interest, liquidated damages, or similar charges due to a tenant's non-
12 payment of rent, if the tenant can demonstrate that it missed the rent payment due to the COVID-19
13 pandemic as set forth in subsection (a)(1)(D). A landlord may not recover possession of the unit due to
14 a tenant's failure to pay late such charges when subsection (a)(1)(D) applies. The foregoing sentence
15 shall not enlarge or diminish a landlord's rights with respect to such charges when subsection
16 (a)(1)(D) does not apply; or

17 * * * *

18
19 Section 3. Severability. If any section, subsection, sentence, clause, phrase, or word
20 of this ordinance, or any application thereof to any person or circumstance, is held to be
21 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision
22 shall not affect the validity of the remaining portions or applications of the ordinance. The
23 Board of Supervisors hereby declares that it would have passed this ordinance and each and
24 every section, subsection, sentence, clause, phrase, and word not declared invalid or
25

1 unconstitutional without regard to whether any other portion of this ordinance or application
2 thereof would be subsequently declared invalid or unconstitutional.

3

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

8

9 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
10 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
11 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
12 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
13 additions, and Board amendment deletions in accordance with the "Note" that appears under
14 the official title of the ordinance.

15

16 Section 6. Mayoral Order. This ordinance is intended to supplement the tenant
17 protections in the Mayor's Eviction Moratorium by prohibiting a landlord from recovering
18 possession due the non-payment of rent upon expiration of the moratorium period. In the
19 event of a conflict between this ordinance and the Eviction Moratorium, the measure that
20 provides greater tenant protections shall apply.

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

23

24 By: /s/
25 MANU PRADHAN
Deputy City Attorney
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REVISED LEGISLATIVE DIGEST
(Amended in Committee, 6/8/2020)

[Administrative Code - COVID-19 Tenant Protections]

Ordinance amending the Administrative Code to prohibit landlords from evicting residential tenants for non-payment of rent that was not paid due to the COVID-pandemic; to prohibit landlords from imposing late fees, penalties, or similar charges on such tenants; and making findings as required by the California Tenant Protection Act of 2019.

Existing Law

A landlord generally can evict their tenant for not paying the rent. Due to the COVID-19 pandemic, the Mayor has imposed a six-month moratorium on evictions for non-payment of rent. If a tenant has not paid their past due rent by the end of the moratorium period, the landlord may proceed with the eviction for non-payment at that time.

Also, a landlord may generally charge late fees or interest due to missed rent payments.

Amendments to Current Law

The ordinance would prohibit a landlord from evicting a tenant due to non-payment of rent if the tenant was unable to pay due to the COVID-19 pandemic, even if the tenant has not paid by the end of the Mayor's moratorium period. The ordinance only limits evictions and does not waive the tenant's obligation to pay the rent.

The tenant's inability to pay would need to be documented, and non-payment evictions would be prohibited only with respect to rent that became due while the Governor's Executive Order on evictions is in effect (N-28-20, ¶2, and N-66-20, ¶21). The Executive Order was adopted on March 16, 2020, and is currently set to expire on July 29, 2020, so the ordinance currently covers rent from April through July. The ordinance would not prohibit evictions due to payments missed after July 29, unless the Executive Order were extended.

The ordinance would also prohibit a landlord from charging late fees or interest due to such missed payments, and would prohibit evictions due to the non-payment of such charges.

Background

This digest incorporates amendments made on June 1, 2020, to reflect the April 30, 2020 extension of the Mayor's Eviction Moratorium and the May 29, 2020 extension of the Governor's Executive Order.

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1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
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MEMORANDUM

TO: Sophia Kittler, Liaison to the Board, Mayor's Office
Robert Collins, Executive Director, Rent Board

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: April 20, 2020

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Preston on April 14, 2020:

File No. 200375

Ordinance amending the Administrative Code to prohibit landlords from evicting residential tenants for non-payment of rent that was not paid due to the COVID-pandemic; to prohibit landlords from imposing late fees, penalties, or similar charges on such tenants; and making findings as required by the California Tenant Protection Act of 2019.

If you have 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 or by email at: erica.major@sfgov.org.



SAN FRANCISCO ASSOCIATION of REALTORS

April 17, 2020

VIA EMAIL AND U.S. MAIL

Angela Calvillo
Clerk of the Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
Board.of.Supervisors@sfgov.org

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2020 APR 21 PM 3:03
BY [Signature]

Re: Proposed “COVID-19 Tenant Protection” Ordinance – File No. 200375

Dear Ms. Calvillo:

We write to you today in opposition to the recently proposed “COVID-19 Tenant Protection” ordinance (BOS File No. 200375, the “Ordinance”). As currently drafted, the Ordinance violates state law, conflicts with Governor Newsom’s Executive Order on evictions, and would ultimately lead to more evictions if enacted.

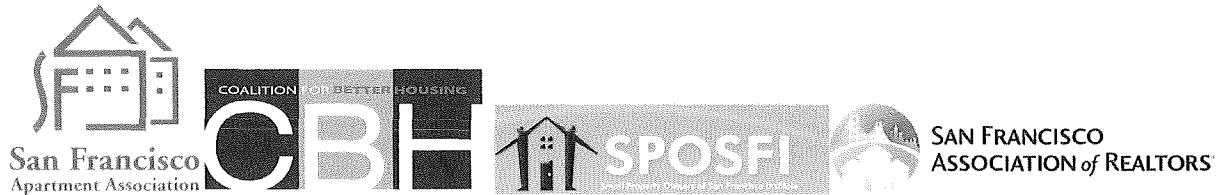
On March 16, 2020, Governor Newsom signed Executive Order N-28-20 (the “Order”) pursuant to the California Emergency Services Act. The Order allows a city to *temporarily* limit evictions for nonpayment of rent due to the COVID-19 crisis. The Order states:

[T]he statutory cause of action for unlawful detainer, Code of Civil Procedure section 1161 et seq., and any other statutory cause of action that could be used to evict or otherwise eject a residential [tenant] **is suspended** only as applied to any tenancy . . . to which a local government has imposed a limitation on eviction pursuant to this paragraph 2, and only to the extent of the limitation imposed by the local government. **Nothing in this Order shall** relieve a tenant of the obligation to pay rent, **nor restrict a landlord’s ability to recover rent due.**

The [aforesaid] protections . . . **shall be in effect through May 31, 2020, unless extended.**

(Order, emphasis added.)

On April 14, 2020, Supervisor Preston proposed a “COVID-19 Tenant Protection” Ordinance. Among other provisions, the Ordinance provides that a landlord can never exercise the remedy of unlawful detainer to obtain unpaid rent, if the rent was unpaid for a COVID-19 related reason



from March 16, 2020 to May 31, 2020 (or longer if the Order is extended), as self-certified by the tenant. In other words, the Ordinance prevents a landlord from *ever* evicting a tenant for failure to pay rent incurred during the COVID-19 period – even if the tenant fails to pay the past-due rent *after* the COVID-19 emergency ends.

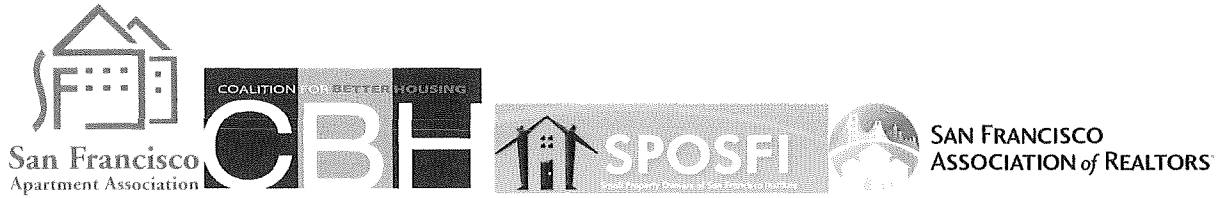
San Francisco does not have the legal authority to permanently deprive landlords of their unlawful detainer rights. The Ordinance purports to derive authority from the Governor’s Order. The Governor’s Order, in turn, derives its authority from the California Emergency Services Act (“ESA”). Neither the Order nor the ESA grants such authority to the City.

The ESA permits the Governor, during a state of emergency, to “**suspend** any regulatory statute, or statute prescribing the procedure for conduct of state business, or the orders, rules, or regulations of any state agency” (Gov. Code § 8571, *emph. add.*) The ESA only authorizes the Governor to *temporarily* suspend ordinary procedures; it does not authorize the Governor to *permanently* deprive citizens of their rights. To wit, the Governor’s Order is not permanent. It states: “The [aforesaid] protections . . . shall be in effect through May 31, 2020, unless extended.”

The Ordinance, on the other hand, would permanently deprive landlords of their right to exercise unlawful detainer remedies for COVID-19 related nonpayment – *even after the Order’s expiration*. In doing so, the Ordinance exceeds the authority granted to San Francisco by the Governor’s Order and the ESA. If there were any question about the City’s authority here, the Order resolves all ambiguity by expressly stating: “**Nothing in this Order shall . . . restrict a landlord’s ability to recover rent due.**” By purporting to “restrict a landlord’s ability to recover rent due” via the unlawful detainer process, the Ordinance directly conflicts with the Governor’s Order.

Moreover, since the Ordinance conflicts with the Order and the ESA, it is in conflict with – and preempted by – California’s unlawful detainer statutes. It is a clear violation of due process, as well as an unconstitutional taking of private property. By depriving landlords of their ability to recover past-due rent by exercising their unlawful detainer rights, the Ordinance would devalue rental property across the City without paying just compensation.

Perhaps most troubling is the Ordinance’s potential to *increase* the number of evictions after the COVID-19 crisis ends. By purporting to prohibit evictions for nonpayment of rent, the Ordinance would induce countless tenants to stop paying rent while the Governor’s COVID-19 Order remains in effect and not to save for repayment thereafter – essentially promising tenants that they’ll never need to pay the past-due rent they owe. When the courts inevitably determine



that the Ordinance is illegal and void, landlords will exercise their unlawful detainer rights – but in reliance on the Ordinance, tenants will not have set funds aside to repay their past-due rent.

Although undoubtedly born of good intentions, the COVID-19 Tenant Protection Ordinance is subject to the Law of Unintended Consequences. We respectfully urge you to oppose this patently illegal proposal, which will ultimately harm both landlords and tenants.

Please contact us if you wish to negotiate any amendments that could advance our mutual interests.

Signed,

SAN FRANCISCO APARTMENT ASSOCIATION

/s/ Janan New
By: Janan New
Its: Director

COALITION FOR BETTER HOUSING

/s/ Brook Turner
By: Brook Turner
Its: President

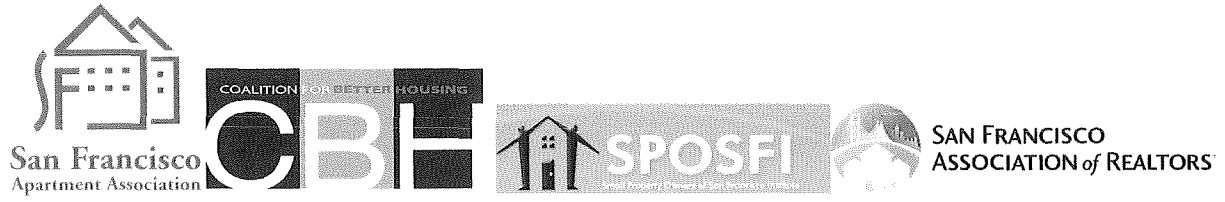
SMALL PROPERTY OWNERS OF SAN FRANCISCO

/s/ Noni Richen
By: Noni Richen
Its: President

SAN FRANCISCO ASSOCIATION OF REALTORS

/s/ Walt Baczkowski
By: Walt Baczkowski
Its: Chief Executive Officer

cc: Supervisor Dean Preston
Dean.Preston@sfgov.org



Mayor London Breed
MayorLondonBreed@sfgov.org

Dennis Herrera
City Attorney
Dennis.Herrera@sfgov.org

From: [Wendy Chang](#)
To: [Fewer, Sandra \(BOS\)](#)
Cc: [Charley Goss](#); [Peskin, Aaron \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: The COVID-19 Tenant Protection Ordinance (File #200375)
Date: Wednesday, May 27, 2020 7:11:29 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms Fewer,

We are small San Francisco property owners living in your district. We are also members of the San Francisco Apartments Association. It has been brought to our attention that there is a proposed legislation on **the COVID-19 Tenant Protection Ordinance (File #200375)** which provides Permanent Prohibition on Evictions for Unpaid Rent due to COVID-19.

We feel that this is a very unfair and puts financial burden on small property owners as

- 1. This proposal will make it nearly impossible for small property owners to recoup unpaid rent and places the financial burden of COVID-19 on small mom property owners who have fixed mortgages, property taxes, employees, and maintenance expenses.
 -
 - 2 This proposal, along with the closure of the court system, would allow tenants to live rent free from March 2019 to potentially September and beyond-- and landlords would have no legal recourse to recoup unpaid rent.
 -
 - 3 The Board of Supervisors cannot and should not prohibit housing providers who have been financially impacted by COVID-19 from using California state law to enforce our rights.
- We thank you in advance for your kind consideration.

Herbert & Wendy Chang

||

From: [Stephen King](#)
To: [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Major, Erica \(BOS\)](#); [Ronen, Hillary](#); [Bob Tesch](#)
Subject: Prohibit Evictions for Unpaid Rent Due to COVID-19
Date: Wednesday, May 27, 2020 9:59:38 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors:

As a small (4 U) housing provider, my budget is very tight. I have refinanced my mortgage to upgrade all the apartments over the past 10 years. Unfortunately, rent control has extended my negative cash flow. Now that you are proposing Prohibiting Evictions for Unpaid Rent Due to COVID-19, this could cause serious consequences if any of my tenants stop paying rent. I have 2 tenants who have mentioned concern on paying future rent.

Late payment of mortgage.

Late payment of semi annual taxes.

Missed payment of utilities.

Delaying necessary repairs.

Or delaying payment to contractors who do the necessary repairs.

This proposal will deny me the right to recover payment as documented in our lease agreements. I have spoken to many other housing providers in this situation.

Please consider the consequences of passing such a law.

Sincerely,

Stephen King
Housing Provider in the Mission District

--

IMPORTANT:

If you forward this e-mail, please delete the forwarding history, I deleted the address of any previous senders.

Thanks

ALWAYS USE Bcc:

From: [Beth Thurber](#)
To: [Fewer, Sandra \(BOS\)](#)
Cc: [Major, Erica \(BOS\)](#)
Subject: NO on #200375
Date: Wednesday, May 27, 2020 10:24:55 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Sandra,

I am Strongly against this proposal. This puts a small property owner into a terrible situation! I don't understand why you would want to endorse this type of legislation.

I own a building at 11th and California St. I strongly oppose this bill. We work so hard to keep our tenants happy by creating a beautiful living environment but we also spend much time cleaning up the litter, graffiti and illegal dumping in the Richmond District. We are not greedy landowners- just want to be treated fairly.

Please right me back to let me know you have read this and will not endorse this ridiculous bill.

Sincerely,
Beth Feinstein Thurber

From: [Kymberly Pipkin](#)
To: [Preston, Dean \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: Proposal to permanently prohibit evictions for unpaid rent due to COVID-19
Date: Wednesday, May 27, 2020 10:36:24 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mr. Preston, Mr. Peskin, Mr. Safai, and Ms. Major:

My husband and I own a two-flat building in San Francisco, located in your district, Mr. Preston.

During this crisis, we are collecting under 60% of the rent that we normally would, yet our mortgage, property taxes, insurance, and the utilities on the building haven't changed. Our building is over 100 years old and the reserves we have for repairs and maintenance are rapidly dwindling. Our "profit" margin for the building will be nonexistent this year.

We are very sympathetic to our tenants and have assured them from the outset that we will work out a reasonable repayment plan that fits their situations.

We are both retired and the COVID-19 crisis has hit our family hard economically: four of our adult children have either had their jobs entirely eliminated or their hours greatly reduced. Two of our grandchildren have special needs, and homeschooling is especially hard on their parents. We try to help out as much as we can.

I include these personal details to let you know that there are hundreds of small landlords like ourselves in San Francisco who would be severely impacted if there was a complete prohibition from evicting tenants for unpaid rent due to COVID-19.

All of our tenants are good people caught up in circumstances beyond their making or control.

So are we.

Respectfully submitted, Kymberly Pipkin

From: [John Antonini](#)
To: [Major, Erica \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)
Subject: NO on #200375
Date: Wednesday, May 27, 2020 10:50:03 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Committee Clerk Major, Supervisor Peskin, Supervisor Safai, and Supervisor Peston,

I am writing to voice my opposition to the prohibition of tenant eviction for unpaid rent due to COVID. This is not a "copy & paste" message so I will be brief.

I have the utmost respect for all residents of our City trying to make things works, now more than ever.

- The concept of the amendment is good in spirit. There are many people who deserve special exceptions. The framework leaves too much room for abuse. If tenants learn that their unpaid rent can be forgiven without the recourse of eviction or late penalty why would they pay at all?
- Will there be financial means testing for the tenants? Why should it be assumed that the landlord is better equipped to shoulder the shortfall than the tenant?
- Residential renters are still enjoying the full benefit of their apartment, some more now than ever. It is not fair to ask a landlord to dig into their savings to subsidize a tenant, who in many cases has the available assets to pay rent despite also suffering hardship.
- People (tenants and owners) still need to pay for their groceries, PGE bill, car insurance, gas, etc. Why would they not need to pay their rent?
- Does a landlord get dollar-for-dollar forgiveness towards his property tax bill for every dollar of rent they forgive?

This pandemic is effecting all economic classes, including landlords. Not all landlords are wealthy. Many survive month to month on the income from the property.

Thank you for your service and consideration.

John Antonini
Native and life long Dist 7 resident/voter
Husband/father of 3,

From: [William Jaeck](#)
To: [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: NO on #200375
Date: Thursday, May 28, 2020 8:59:17 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

My name is William Jaeck and I have been a resident and landlord in San Francisco for 27 years.

Please vote no on ordinance 200375 "Covid-19 Tenant" Protections.

While it is true that some tenants are enduring covid-19 related hardships, that does not mean that small property owners can or should permanently shoulder the responsibility for rent during the emergency. Landlords are people too, and we have financial obligations, like tenants, that we must pay even during the emergency. It simply is not reasonable or fair to assume that we can afford to provide housing at no cost, with no opportunity to ever be repaid. That is a likely outcome of this ordinance.

Thank you for helping defeat this unfair change to the administrative code.

Sincerely,
William Jaeck

From: [mark.eriksson](#)
To: [Major, Erica \(BOS\)](#)
Cc: [EUGENE EUGENE](#)
Subject: New Proposal Regarding Tenant Eviction Due to COVID-19
Date: Thursday, May 28, 2020 11:57:21 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Erica,

I just received an e-mail from the San Francisco Apartment Association (SFAA) stating that the Board of Supervisors is considering a proposal which would **permanently** prohibit landlords from using the state law eviction processes for unpaid rent due to COVID-19. I am a landlord of 1130 Filbert St where 3 out of my 4 tenants have not paid rent for April, May & now June. I have waited patiently for the rent since these are difficult times but it is not my role to provide free housing to the residents of San Francisco. I am wondering what proposals you have in play to make the landlords whole again so that they receive the rent that is due to them? Please let me know at your earliest convenience. Thanks so much!

Mark Eriksson
Landlord
1130 Filbert St Apartments

From: [Nettie Atkisson](#)
To: [Safai, Ahsha \(BOS\)](#); [Ronen, Hillary](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: Why do you hate us?
Date: Thursday, May 28, 2020 11:07:57 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I just looked over the ordinance for the Covid 19 Tenant Protections.

What worries me is that there is no end in sight and it is very stressful for everyone. We moved to San Francisco in 2006. Coming to a city and TAKING only is not ok and so we have done what we can to contribute to the city. For two long years I worked for free to get Peabody Elementary School a much needed playground. Donating, working at the Foodbanks and using my spanish skills to volunteer at Glide. My husband was laid off and fighting cancer during the lockdown. Thank heaven we have these great hospitals and doctors because both of my girls (17 year old at Lowell and 10 year old at CIS de Avila) have Type 1 diabetes, celiac and hashimotos. There is somehow this misconception that LANDLORDS have a ton of money. Maybe some do. The only way we could get a mortgage (that we ONLY PAY THE INTEREST ON) is by buying a duplex and getting rental income.

Help me understand why Landlords are constantly demonized, punished and hated in this city. Sure, there are terrible Landlords. There are also unethical tenants. Most of us, however, are law abiding, ethical families trying to contribute to this city with many possibilities.

If we do not get rental income, we can't pay our mortgage for very long. Our oldest was hoping to go to college next year.

How is it legal to make one half of a contract null and void but keep the other one in place? This is scary as hell. Where is the rule of law? Why can't the city pay the rents? Get more of the Prop C monies tied up in court out like you did before and pay rent. Why get into YET ANOTHER LAWSUIT and legal drama where nothing is done and all money is held up. Look at the teacher funding bonds. LAWSUIT. Prop C. LAWSUIT.

You cannot say We Are All In This Together and then go after landlords. This is not #metowe.

We tried to sell our house and move. EVERY SINGLE PERSON that came to look at the house said they would not buy a house with a tenant. We were supposed to close March 19, 2020 but our 32 year old LinkedIn employee Tenant from Orinda would not fill out the Estoppel even though it is in her contract and so the one buyer willing to take the risk walked . My friend with Cerebral Palsy who lived in the Inner Richmond and 5th has a unit empty but the rental laws in this city are such that he will never rent again to anyone once a family living in his other unit moves out. My friend Maryam lives on Hayes in a building. The landlord refuses to rent to anyone else because of the laws and bad experiences. A sincere question. How has demonizing landlords improved the housing crisis?

Why do you hate us? Why do you demonize us and hold us responsible for a world that is always changing and the constant challenges we face?

As a preschool director, I know children need predictability. When the rules constantly change, it breeds insecurity and it is not healthy. Who will be landlords if we keep getting slammed and blamed and held responsible for so many things.

After a childhood of trauma, I have been having a psychiatric crisis since December. My mother died, my drug addict sister died, my uncle was murdered, my girls just keep getting more and more autoimmune diseases, my dad has mucosal melanoma and I have been over stressed caring for him and finding him care while caring for my daughters, my husband got melanoma and was laid off and I was working hard to prepare my house to sell so we could go somewhere more affordable. Could not sell my house. Now I get this news that we don't even have a right to collect rent.

Why do you hate us? Single family homes don't get demonized. Aaron Peskin's notorious story of his single family home has been well publicized. I am just mom with kids in public school doing my best. We obey the laws. We volunteer at public schools. We do all we can to contribute to this city. Why do you work so hard to discourage families like us from staying here?

Hate is not way to improve things. Blaming other people makes you no better than the blamer in chief in the white house. Why are you always coming after us? How can we possibly be held responsible for this? Please help me understand?

Nettie Atkisson

From: [Nettieatkisson](#)
To: [Nettie Atkisson](#)
Cc: [Safai, Ahsha \(BOS\)](#); [Ronen, Hillary](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: Re: Why do you hate us?
Date: Thursday, May 28, 2020 12:07:28 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Why not rental assistance??? No courts, no blaming anyone, not harming small property owners who are already struggling. The courts are tied up with so many issues. They are closed so why add more to this? Just provide rental assistance. With courts closed why put everyone in an untenable situation?

Why make it possible for yet another lawsuit while so many people need their rent and mortgage paid. Much cheaper to keep people in their homes then to pay for homeless issues. Why wouldn't rental assistance be the first place we go? As a government you can issue bonds. Governor brown reserves 20 billion rainy days rainiest day ever

Having some end in site
Small claims and collection agencies stress on both sides

You attract more flies with honey then vinegar
Sounds good in media but you know it does longer damage

Don't you want me to be landlords instead of the real estate trust that is taking and not giving back
What looks good in press not good public policy
Cautionary note
Institutionalized investors and tenants as income where
Ethical
Blue bottle
Brother accident
Holidays
Make light so safe
Fix gate immediately
Responsiveness

Sent using Siri voice recognition. Mistakes guaranteed.

> On May 28, 2020, at 11:07 AM, Nettie Atkisson <nettieatkisson@gmail.com> wrote:
>
>
> I just looked over the ordinance for the Covid 19 Tenant Protections.
>
> What worries me is that there is no end in sight and it is very stressful for everyone.
> We moved to San Francisco in 2006. Coming to a city and TAKING only is not ok and so we have done what we can to contribute to the city. For two long years I worked for free to get Peabody Elementary School a much needed playground. Donating, working at the Foodbanks and using my spanish skills to volunteer at Glide.
> My husband was laid off and fighting cancer during the lockdown. Thank heaven we have these great hospitals and doctors because both of my girls (17 year old at Lowell and 10 year old at CIS de Avila) have Type 1 diabetes,

celiac and hashimotos.

> There is somehow this misconception that LANDLORDS have a ton of money. Maybe some do. The only way we could get a mortgage (that we ONLY PAY THE INTEREST ON) is by buying a duplex and getting rental income.

>

> Help me understand why Landlords are constantly demonized, punished and hated in this city. Sure, there are terrible Landlords. There are also unethical tenants. Most of us, however, are law abiding, ethical families trying to contribute to this city with many possibilities.

>

> If we do not get rental income, we can't pay our mortgage for very long. Our oldest was hoping to go to college next year.

>

> How is it legal to make one half of a contract null and void but keep the other one in place? This is scary as hell. Where is the rule of law? Why can't the city pay the rents? Get more of the Prop C monies tied up in court out like you did before and pay rent. Why get into YET ANOTHER LAWSUIT and legal drama where nothing is done and all money is held up. Look at the teacher funding bonds. LAWSUIT. Prop C. LAWSUIT.

>

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>

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>

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>

> As a preschool director, I know children need predictability. When the rules constantly change, it breeds insecurity and it is not healthy. Who will be landlords if we keep getting slammed and blamed and held responsible for so many things.

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>

> Why do you hate us? Single family homes don't get demonized. Aaron Peskin's notorious story of his single family home has been well publicized. I am just mom with kids in public school doing my best. We obey the laws. We volunteer at public schools. We do all we can to contribute to this city. Why do you work so hard to discourage families like us from staying here?

> Hate is not way to improve things. Blaming other people makes you no better than the blamer in chief in the white house. Why are you always coming after us? How can we possibly be held responsible for this? Please help me understand?

>

> Nettie Atkisson

From: [dave.collins](#)
To: [Major, Erica \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Haney, Matt \(BOS\)](#); [Charley Goss; U D](#)
Subject: Ordinance amending administrative code regarding Covid-19
Date: Thursday, May 28, 2020 10:46:24 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors and Members of the San Francisco Land Use Committee,

I have read the most recent proposed ordinance regarding Covid-19 pandemic relief for tenants. This pro-tenant legislation is admirable, benevolent, conscientious but is also grossly unfair and probably illegal.

I have been negotiating with my bank, First Foundation Bank, and there are absolutely no mortgage forbearance options, loan modifications or mortgage relief of any kind for the loans I have for properties in San Francisco. Furthermore, I have to continue to pay for tenant's utilities, water, garbage and of course property taxes without any help from our local City Government.

So, the long and the short is this, if the proposed legislation is passed, building owners in San Francisco will be forced to subsidize ALL the housing needs for tenants in this City, for the foreseeable future, (as nobody knows how long this pandemic will last.)

With vacancy rates about to surge and property revenue decreasing, the City's tax base is about to take a big hit. SO – all you folks should remember who pays the bills in the City and your salaries. If you do not protect your city revenue and tax base going forward, there are going to be major fiscal problems going forward long after this pandemic is eventually over.

The Board of Supervisors has not thought this through and has obviously not taken into consideration the unintended consequences of the proposed legislation.

If the City of San Francisco wants to guarantee housing for its tenants regardless of world events that are beyond the control of property owners – then the City of San Francisco should ALSO subsidize us property owners for lost rental income - and protect us good property owners who house the tenants that vote for you.

Otherwise you are shifting all the financial cost of Covid-19 disaster onto us small property owners and not giving us any recourse to financially protect ourselves from financial ruin.

Please reconsider your position on this legislation as it unfairly punishes property owners for this unfortunate "act of god."

We property owners are your partners in housing in San Francisco, not your enemy. We should be treated as such, and not as a pawn to generate more votes for your next election.

Please feel free to contact me for further information if needed.

Thank you for your consideration,

David Collins
Property Owner in San Francisco

415-240-1248

Sent from [Mail](#) for Windows 10



SAN FRANCISCO ASSOCIATION of REALTORS

April 17, 2020

VIA EMAIL AND U.S. MAIL

Angela Calvillo
Clerk of the Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
Board.of.Supervisors@sfgov.org

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2020 APR 21 PM 3:03
BY [Signature]

Re: Proposed “COVID-19 Tenant Protection” Ordinance – File No. 200375

Dear Ms. Calvillo:

We write to you today in opposition to the recently proposed “COVID-19 Tenant Protection” ordinance (BOS File No. 200375, the “Ordinance”). As currently drafted, the Ordinance violates state law, conflicts with Governor Newsom’s Executive Order on evictions, and would ultimately lead to more evictions if enacted.

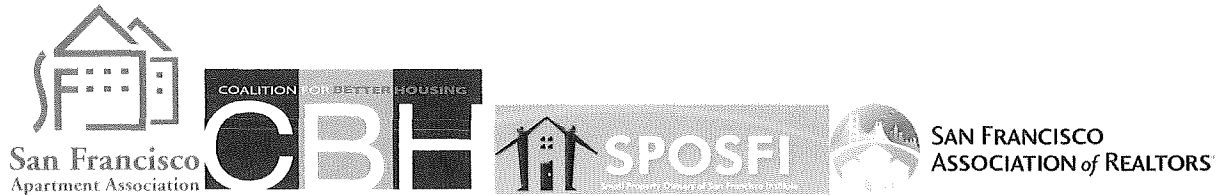
On March 16, 2020, Governor Newsom signed Executive Order N-28-20 (the “Order”) pursuant to the California Emergency Services Act. The Order allows a city to *temporarily* limit evictions for nonpayment of rent due to the COVID-19 crisis. The Order states:

[T]he statutory cause of action for unlawful detainer, Code of Civil Procedure section 1161 et seq., and any other statutory cause of action that could be used to evict or otherwise eject a residential [tenant] **is suspended** only as applied to any tenancy . . . to which a local government has imposed a limitation on eviction pursuant to this paragraph 2, and only to the extent of the limitation imposed by the local government. **Nothing in this Order shall** relieve a tenant of the obligation to pay rent, **nor restrict a landlord’s ability to recover rent due.**

The [aforesaid] protections . . . **shall be in effect through May 31, 2020, unless extended.**

(Order, emphasis added.)

On April 14, 2020, Supervisor Preston proposed a “COVID-19 Tenant Protection” Ordinance. Among other provisions, the Ordinance provides that a landlord can never exercise the remedy of unlawful detainer to obtain unpaid rent, if the rent was unpaid for a COVID-19 related reason



from March 16, 2020 to May 31, 2020 (or longer if the Order is extended), as self-certified by the tenant. In other words, the Ordinance prevents a landlord from *ever* evicting a tenant for failure to pay rent incurred during the COVID-19 period – even if the tenant fails to pay the past-due rent *after* the COVID-19 emergency ends.

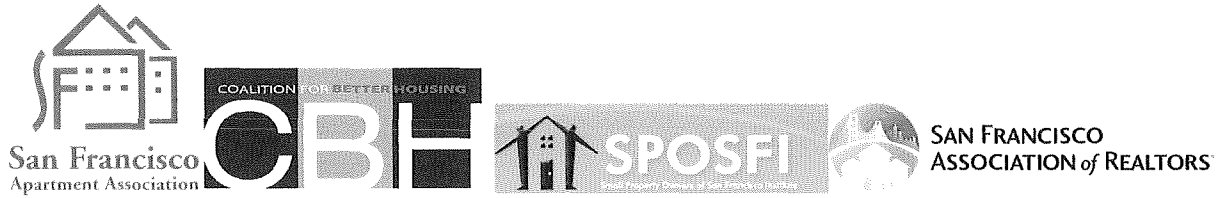
San Francisco does not have the legal authority to permanently deprive landlords of their unlawful detainer rights. The Ordinance purports to derive authority from the Governor’s Order. The Governor’s Order, in turn, derives its authority from the California Emergency Services Act (“ESA”). Neither the Order nor the ESA grants such authority to the City.

The ESA permits the Governor, during a state of emergency, to “**suspend** any regulatory statute, or statute prescribing the procedure for conduct of state business, or the orders, rules, or regulations of any state agency” (Gov. Code § 8571, *emph. add.*) The ESA only authorizes the Governor to *temporarily* suspend ordinary procedures; it does not authorize the Governor to *permanently* deprive citizens of their rights. To wit, the Governor’s Order is not permanent. It states: “The [aforesaid] protections . . . shall be in effect through May 31, 2020, unless extended.”

The Ordinance, on the other hand, would permanently deprive landlords of their right to exercise unlawful detainer remedies for COVID-19 related nonpayment – *even after the Order’s expiration*. In doing so, the Ordinance exceeds the authority granted to San Francisco by the Governor’s Order and the ESA. If there were any question about the City’s authority here, the Order resolves all ambiguity by expressly stating: “**Nothing in this Order shall . . . restrict a landlord’s ability to recover rent due.**” By purporting to “restrict a landlord’s ability to recover rent due” via the unlawful detainer process, the Ordinance directly conflicts with the Governor’s Order.

Moreover, since the Ordinance conflicts with the Order and the ESA, it is in conflict with – and preempted by – California’s unlawful detainer statutes. It is a clear violation of due process, as well as an unconstitutional taking of private property. By depriving landlords of their ability to recover past-due rent by exercising their unlawful detainer rights, the Ordinance would devalue rental property across the City without paying just compensation.

Perhaps most troubling is the Ordinance’s potential to *increase* the number of evictions after the COVID-19 crisis ends. By purporting to prohibit evictions for nonpayment of rent, the Ordinance would induce countless tenants to stop paying rent while the Governor’s COVID-19 Order remains in effect and not to save for repayment thereafter – essentially promising tenants that they’ll never need to pay the past-due rent they owe. When the courts inevitably determine



that the Ordinance is illegal and void, landlords will exercise their unlawful detainer rights – but in reliance on the Ordinance, tenants will not have set funds aside to repay their past-due rent.

Although undoubtedly born of good intentions, the COVID-19 Tenant Protection Ordinance is subject to the Law of Unintended Consequences. We respectfully urge you to oppose this patently illegal proposal, which will ultimately harm both landlords and tenants.

Please contact us if you wish to negotiate any amendments that could advance our mutual interests.

Signed,

SAN FRANCISCO APARTMENT ASSOCIATION

/s/ Janan New
By: Janan New
Its: Director

COALITION FOR BETTER HOUSING

/s/ Brook Turner
By: Brook Turner
Its: President

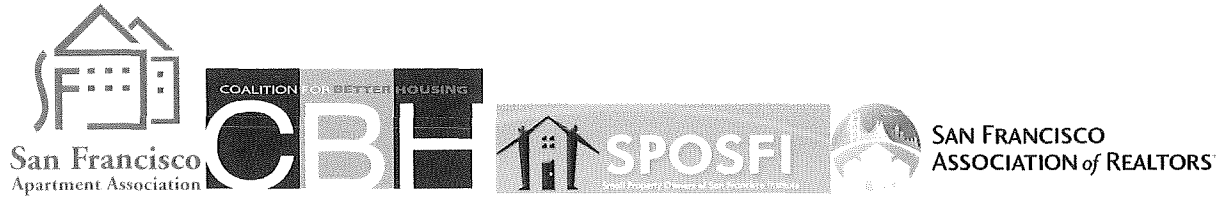
SMALL PROPERTY OWNERS OF SAN FRANCISCO

/s/ Noni Richen
By: Noni Richen
Its: President

SAN FRANCISCO ASSOCIATION OF REALTORS

/s/ Walt Baczkowski
By: Walt Baczkowski
Its: Chief Executive Officer

cc: Supervisor Dean Preston
Dean.Preston@sfgov.org



Mayor London Breed
MayorLondonBreed@sfgov.org

Dennis Herrera
City Attorney
Dennis.Herrera@sfgov.org

From: [Wendy Chang](#)
To: [Fewer, Sandra \(BOS\)](#)
Cc: [Charley Goss](#); [Peskin, Aaron \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: The COVID-19 Tenant Protection Ordinance (File #200375)
Date: Wednesday, May 27, 2020 7:11:29 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms Fewer,

We are small San Francisco property owners living in your district. We are also members of the San Francisco Apartments Association. It has been brought to our attention that there is a proposed legislation on **the COVID-19 Tenant Protection Ordinance (File #200375)** which provides Permanent Prohibition on Evictions for Unpaid Rent due to COVID-19.

We feel that this is a very unfair and puts financial burden on small property owners as

- 1. This proposal will make it nearly impossible for small property owners to recoup unpaid rent and places the financial burden of COVID-19 on small mom property owners who have fixed mortgages, property taxes, employees, and maintenance expenses.
 -
 - 2 This proposal, along with the closure of the court system, would allow tenants to live rent free from March 2019 to potentially September and beyond-- and landlords would have no legal recourse to recoup unpaid rent.
 -
 - 3 The Board of Supervisors cannot and should not prohibit housing providers who have been financially impacted by COVID-19 from using California state law to enforce our rights.
- We thank you in advance for your kind consideration.

Herbert & Wendy Chang

||

From: [Stephen King](#)
To: [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Major, Erica \(BOS\)](#); [Ronen, Hillary](#); [Bob Tesch](#)
Subject: Prohibit Evictions for Unpaid Rent Due to COVID-19
Date: Wednesday, May 27, 2020 9:59:38 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors:

As a small (4 U) housing provider, my budget is very tight. I have refinanced my mortgage to upgrade all the apartments over the past 10 years. Unfortunately, rent control has extended my negative cash flow. Now that you are proposing Prohibiting Evictions for Unpaid Rent Due to COVID-19, this could cause serious consequences if any of my tenants stop paying rent. I have 2 tenants who have mentioned concern on paying future rent.

Late payment of mortgage.

Late payment of semi annual taxes.

Missed payment of utilities.

Delaying necessary repairs.

Or delaying payment to contractors who do the necessary repairs.

This proposal will deny me the right to recover payment as documented in our lease agreements. I have spoken to many other housing providers in this situation.

Please consider the consequences of passing such a law.

Sincerely,

Stephen King
Housing Provider in the Mission District

--

IMPORTANT:

If you forward this e-mail, please delete the forwarding history, I deleted the address of any previous senders.

Thanks

ALWAYS USE Bcc:

From: [Beth Thurber](#)
To: [Fewer, Sandra \(BOS\)](#)
Cc: [Major, Erica \(BOS\)](#)
Subject: NO on #200375
Date: Wednesday, May 27, 2020 10:24:55 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Sandra,

I am Strongly against this proposal. This puts a small property owner into a terrible situation! I don't understand why you would want to endorse this type of legislation.

I own a building at 11th and California St. I strongly oppose this bill. We work so hard to keep our tenants happy by creating a beautiful living environment but we also spend much time cleaning up the litter, graffiti and illegal dumping in the Richmond District. We are not greedy landowners- just want to be treated fairly.

Please right me back to let me know you have read this and will not endorse this ridiculous bill.

Sincerely,
Beth Feinstein Thurber

From: [Kymberly Pipkin](#)
To: [Preston, Dean \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: Proposal to permanently prohibit evictions for unpaid rent due to COVID-19
Date: Wednesday, May 27, 2020 10:36:24 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mr. Preston, Mr. Peskin, Mr. Safai, and Ms. Major:

My husband and I own a two-flat building in San Francisco, located in your district, Mr. Preston.

During this crisis, we are collecting under 60% of the rent that we normally would, yet our mortgage, property taxes, insurance, and the utilities on the building haven't changed. Our building is over 100 years old and the reserves we have for repairs and maintenance are rapidly dwindling. Our "profit" margin for the building will be nonexistent this year.

We are very sympathetic to our tenants and have assured them from the outset that we will work out a reasonable repayment plan that fits their situations.

We are both retired and the COVID-19 crisis has hit our family hard economically: four of our adult children have either had their jobs entirely eliminated or their hours greatly reduced. Two of our grandchildren have special needs, and homeschooling is especially hard on their parents. We try to help out as much as we can.

I include these personal details to let you know that there are hundreds of small landlords like ourselves in San Francisco who would be severely impacted if there was a complete prohibition from evicting tenants for unpaid rent due to COVID-19.

All of our tenants are good people caught up in circumstances beyond their making or control.

So are we.

Respectfully submitted, Kymberly Pipkin

From: [John Antonini](#)
To: [Major, Erica \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)
Subject: NO on #200375
Date: Wednesday, May 27, 2020 10:50:03 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Committee Clerk Major, Supervisor Peskin, Supervisor Safai, and Supervisor Peston,

I am writing to voice my opposition to the prohibition of tenant eviction for unpaid rent due to COVID. This is not a "copy & paste" message so I will be brief.

I have the utmost respect for all residents of our City trying to make things works, now more than ever.

- The concept of the amendment is good in spirit. There are many people who deserve special exceptions. The framework leaves too much room for abuse. If tenants learn that their unpaid rent can be forgiven without the recourse of eviction or late penalty why would they pay at all?
- Will there be financial means testing for the tenants? Why should it be assumed that the landlord is better equipped to shoulder the shortfall than the tenant?
- Residential renters are still enjoying the full benefit of their apartment, some more now than ever. It is not fair to ask a landlord to dig into their savings to subsidize a tenant, who in many cases has the available assets to pay rent despite also suffering hardship.
- People (tenants and owners) still need to pay for their groceries, PGE bill, car insurance, gas, etc. Why would they not need to pay their rent?
- Does a landlord get dollar-for-dollar forgiveness towards his property tax bill for every dollar of rent they forgive?

This pandemic is effecting all economic classes, including landlords. Not all landlords are wealthy. Many survive month to month on the income from the property.

Thank you for your service and consideration.

John Antonini
Native and life long Dist 7 resident/voter
Husband/father of 3,

From: [William Jaeck](#)
To: [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: NO on #200375
Date: Thursday, May 28, 2020 8:59:17 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

My name is William Jaeck and I have been a resident and landlord in San Francisco for 27 years.

Please vote no on ordinance 200375 "Covid-19 Tenant" Protections.

While it is true that some tenants are enduring covid-19 related hardships, that does not mean that small property owners can or should permanently shoulder the responsibility for rent during the emergency. Landlords are people too, and we have financial obligations, like tenants, that we must pay even during the emergency. It simply is not reasonable or fair to assume that we can afford to provide housing at no cost, with no opportunity to ever be repaid. That is a likely outcome of this ordinance.

Thank you for helping defeat this unfair change to the administrative code.

Sincerely,
William Jaeck

From: [Susana Bates](#)
To: [Major, Erica \(BOS\)](#)
Subject: No on #200375
Date: Saturday, May 30, 2020 9:45:26 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Major,

I am writing you this letter to implore you to vote no on ordinance #200375.

I live in the Outer Richmond neighborhood and also have a small rental unit a few blocks away. My rental unit was my very first home that I ever purchased. It was the perfect size for me at the time. However, we needed more space because my father was diagnosed with dementia and I wanted to take care of him so we were fortunate to find a larger home nearby, in the neighborhood I love. One day, this home will be too large for us and I will want to move back to my condo. In the meantime, I am relying on rent to be able to make ends meet. I have lost all of my income due to Covid 19 so this rent is really important to me. I have been lucky so far as I have tenants who are still employed and can make their rent. This could change and I know that is not the case for everyone.

While I feel for tenants who have lost their income, this proposal will place undue financial burden of Covid-19 on small mom and pop property owners like me. And there are many small property owners in San Francisco who will be affected. Owners who have fixed mortgages, property taxes and maintenance expenses.

The city does not have legal authority under the Governor's order to permanently restrict a landlord's ability to recover rent due. The Board of Supervisors cannot and should not prohibit housing providers who have been financially impacted by Covid 19 from using California State law to enforce our rights.

These are hard times for everyone. Landlords. many of us just trying to make ends meet, should not have to take the brunt of this economic crisis.

Once again, I implore you to vote no on #200375

Sincerely,
Susana Bates

From: [Lisa Zahner](#)
To: [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Cc: [Major, Erica \(BOS\)](#)
Subject: NO on #200375
Date: Monday, June 1, 2020 10:10:13 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To Supervisors Peskin, Preson, and Safai -

I am STRONGLY OPPOSED to the proposal to permanently prohibit landlords from using the state law eviction processes for unpaid rent due to COVID-19.

I am a D5 resident, as well as a landlord of a 3-unit building in District 5. The coronavirus pandemic has greatly impacted *everyone*. Small landlords simply cannot afford the cost of maintaining their building, paying the water, garbage and other utilities for tenants, property insurance and property taxes, if tenants are not paying their rent, and if we have no way to recoup unpaid rent due.

Small landlords are not a huge corporation- yet small landlords provide much-needed housing in San Francisco. When tenants don't pay the rent, the families of small landlords *also* experience financial hardship. Banks are not indefinitely waiving mortgage / debt service - so the costs to maintain and keep smaller apartment buildings continue to go up - with no relief in sight.

Please consider this and vote NO on #200375

Sincerely,
Lisa Zahner

--

Lisa Zahner
415.948.5747
[My LinkedIn profile](#)

From: [Tracy Flanagan](#)
To: [Major, Erica \(BOS\)](#)
Subject: Stop Covid related evictions
Date: Monday, June 1, 2020 10:12:47 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please stop Covid 19 related evictions and help all San Francisco by lowering rents.

From: [Thomas Orgain](#)
To: [Major, Erica \(BOS\)](#)
Subject: NO on #200375
Date: Monday, June 1, 2020 10:18:24 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Sent from [Mail](#) for Windows 10

Dear Land Use Committee Members – SFBOS

We are District 4 residential property owners and reject this measure in its entirety – no longer will tenants and landlords be able to operate in good faith and harmony as a result of this ridiculous regulation. This is another unrealistic measure that will deliver the opposite results of its short-sighted intentions.

To say this measure is not ready for “prime time” is a huge understatement.

Vote NO on #200375.

Very Truly Yours,

Thomas K. Orgain, Sr.

From: [Victoria Stein](#)
To: [Major, Erica \(BOS\)](#)
Subject: No on #200375
Date: Monday, June 1, 2020 10:25:36 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Ms. Major,

We are mom and pop building owners. If just a few tenants stop paying rent for 6 months, we could lose a building.

Large corporate landlords, who would be the only winners if the proposal passes, have been calling everyday.

We are already giving the retail tenants free rent until they can open.

Please vote no on 200375.

Thank you,

Denis Casey
415-987-5840

From: [Sheri Castilyn](#)
To: [Danny Scher](#)
Cc: [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: Re: NO on #200375
Date: Monday, June 1, 2020 10:34:53 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I agree. San Francisco needs to support housing providers, otherwise tenants won't have sufficient rental options. We need more housing, not less! Find a way to support tenants and landlords too.

On Jun 1, 2020, at 10:25 AM, Danny Scher <Danny@dansun.com> wrote:

I am a property owner in San Francisco, both residential and commercial, and have been for over forty years.

I do not believe the City has the legal authority under the Governor's order to permanently restrict a landlord's ability to recover rent due.

- This proposal will make it nearly impossible for small property owners to recoup unpaid rent and places the financial burden of COVID-19 on small mom and pop property owners, like me, who have fixed mortgages, property taxes, employees, and maintenance expenses.
- This proposal, along with the closure of the court system, would allow tenants to live rent free from March 2020 to potentially September 2020 and beyond-- and landlords would have no legal recourse to recoup unpaid rent.
- The Board of Supervisors cannot and should not prohibit housing providers who have been financially impacted by COVID from using California state law to enforce our rights.
- Small owners, like myself, are particularly hard hit by renters who cannot pay.
- I urge you to vote "NO" on #200375.

Danny Scher

SF Property Owner

From: [Deborah Kwan](#)
To: [Fewer, Sandra \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: No on #200375
Date: Monday, June 1, 2020 10:47:18 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors Fewer, Peskin, Preston and Safai and Land Use Committee Clerk Major,

I am writing on behalf of my parents who own two rental properties in District 1 to express our opposition to #200375.

My parents who are the ages of 76 and 86, respectively, depend on the rent collected as their retirement income and to maintain the buildings (both buildings just completed mandatory soft story seismic retrofit) and pay property taxes. They have a mix of longtime and newer tenants, many of whom have lived in their buildings for over 10 years. One of their buildings is mixed use with a vacant restaurant space that will likely remain unfilled in this distressed economic climate. They have been working directly with their residential tenants who are having difficulty paying the rent because of reduced income or job loss as a result of Covid-19.

We oppose #200375 because permanently prohibiting evictions due to unpaid rent would place an untenable financial hardship on small property owners like my parents.

Respectfully,
Deborah Kwan

From: sfapartmentliving@gmail.com
To: [Major, Erica \(BOS\)](#)
Cc: sfapartmentliving@gmail.com
Subject: No on #200375
Date: Monday, June 1, 2020 9:50:57 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good morning Ms Erica Major:

My wife and I own an apartment building in Russian Hill, and while it may be relatively small, it is very significant to us as we are retired and count on the income to live.

We are very concerned about proposal and how it may adversely affect our income by providing unjust incentive for our residents to skip paying their rent and leave us no legal means to remove them.

We firmly believe that the city does not have legal authority under the Governor's order to permanently restrict a landlord's ability to recover rent due.

- We believe that this proposal will make it nearly impossible for small property owners to recoup unpaid rent and places the financial burden of COVID-19 on small mom and pop property owners who have fixed mortgages, property taxes, employees, and maintenance expenses. This proposal, along with the closure of the court system, would allow tenants to live rent free from March 2020 to potentially September and beyond-- and landlords would have no legal recourse to recoup unpaid rent.
- The Board of Supervisors cannot and should not prohibit housing providers who have been financially impacted by COVID from using California state law to enforce our rights.
- **Small owners, like ourselves, are particularly hard hit by renters who cannot pay. If even one renter in a 4 unit building can't pay, the owner is also experiencing a financial hardship.**

Thank you,

Marc and Ann Melso

From: dorgain21@gmail.com
To: [Major, Erica \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Subject: NO on #200375
Date: Monday, June 1, 2020 10:02:14 AM
Attachments: [image001.png](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

We are home owners in District 4 and rent our house out. As you know, the housing in SF is very high. We would not be able to afford the mortgage if the proposal to **permanently** prohibit landlords from using the state law eviction processes for unpaid rent due to COVID-19 were passed. This proposal does not protect lawful landlords and is our violation of our rights.

Diana Orgain

USA Today Bestselling Author



From: [Sarah Quadri](#)
To: [Ronen, Hillary](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: No on #200375
Date: Monday, June 1, 2020 10:02:49 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

I am a building owner who has lived in Ms. Hillary Ronen's district (District 9/Mission) for over 20 years; the building is a three unit rental and I live in one of the units with my elderly mother, who I financially support.

I understand the financial hardships that my neighbors are currently experiencing; due to the Covid-19 pandemic, my work hours have been drastically reduced. So far, my tenants income has not been affected by the pandemic and I am able to keep up the mortgage payments and provide for my mother and myself.

If my tenants' situation changes, I am willing to work with them to help them stay in their homes, but if, at some point, I am not able to recoup rent, I would be forced to sell and leave my home and neighborhood. I would have no choice but to relocate my mother and myself to another part of the country, where housing is more affordable.

- The city does not have legal authority under the Governor's order to permanently restrict a landlord's ability to recover rent due.
- **This proposal will make it nearly impossible for small property owners to recoup unpaid rent and places the financial burden of COVID-19 on small "mom and pop" property owners who have fixed mortgages, property taxes, and maintenance expenses.**
- This proposal, along with the closure of the court system, would allow tenants to live rent free from March 2020 to potentially September and beyond— and landlords would have no legal recourse to recoup unpaid rent.
- The Board of Supervisors cannot and should not prohibit housing providers who have been financially impacted by COVID from using California State law to enforce our rights.
- Small owners are particularly hard hit by renters who cannot pay. If even one renter in a 4 unit building can't pay, the owner is also experiencing a financial hardship.

In the past, when my situation was far different, I forgave the rent for two separate tenants who were in financial need; today, my financial situation is very different and my own retirement may be in jeopardy if this bill passes. Please do not punish building owners, such as myself, for the actions of greedy corporate landlords.

Thank You,
Sarah Quadri
District 9 Resident/Building Owner

ZACKS, FREEDMAN & PATTERSON

A PROFESSIONAL CORPORATION

235 Montgomery Street, Suite 400
San Francisco, California 94104
Telephone (415) 956-8100
Facsimile (415) 288-9755
www.zfplaw.com

June 1, 2020

Honorable Aaron Peskin
Honorable Ahsha Safai
Honorable Dean Preston
Land Use Committee of the
San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

VIA EMAIL

Re: Proposed San Francisco Ordinance No. 200375

Dear San Francisco Board of Supervisors Land Use Committee:

We write on behalf of the San Francisco Apartment Association, Small Property Owners of San Francisco, Coalition for Better Housing, the San Francisco Association of Realtors, and numerous individual housing providers throughout the City and County of San Francisco. We understand that proposed San Francisco Ordinance No. 200375 (the “Ordinance”) will be heard before the San Francisco Land Use and Transportation Committee today, June 1, 2020. The Ordinance would restrict residential landlords from *ever* accessing unlawful detainer procedures for tenants’ failure to pay their rent during a specified time period for COVID-19 related reasons. But San Francisco has no power to permanently override state law in this way. Thus, the Ordinance violates constitutional law, state law, and Governor Newsom’s Executive Order temporarily suspending unlawful detainer procedures. And, ironically, the Ordinance would ultimately lead to more evictions.

First, San Francisco (the “City”) does not have the legal authority to permanently deprive landlords of their unlawful detainer (“UD”) rights for any term of non-payment. Although the Ordinance purports to fit within the power delegated to localities by the Governor’s March 16, 2020 Executive Order N-28-20 (the “Order”), the Order does not—and could not—allow localities to undercut the state UD procedure after the COVID-19 emergency ends.

The Order derives its apparent authority from the California Emergency Services Act (“ESA”). The ESA permits the Governor, during a state of emergency, to “**suspend** any regulatory statute, or statute prescribing the procedure for conduct of state business, or the orders, rules, or regulations of any state agency . . . where the Governor determines and declares

that strict compliance with any statute, order, rule, or regulation would in any way prevent, hinder, or delay the mitigation of the effects of the emergency.” (Gov. Code § 8571, *emph. add.*) The Governor’s orders under the ESA “shall have the force and effect of law.” (Gov. Code § 8567(a).) Orders under the ESA, however, “**shall be of no further force or effect**” after the state of emergency is terminated. (Gov. Code § 8567(b), *emph. add.*)

Consistent with the limited lifespan of all orders under the ESA, the Order here permits a locality to *temporarily* limit evictions for non-payment of rent due to the COVID-19 crisis. In pertinent part, the Order provides:

1) The time limitation set forth in Penal Code section 396, subdivision (f), concerning protections against residential eviction, is hereby waived. Those protections shall be in effect **through May 31, 2020**.

....

2) Any provision of state law that would preempt or otherwise restrict a local government’s exercise of its police power to impose substantive limitations on . . . evictions . . . is **hereby suspended** to the extent that it would preempt or otherwise restrict such exercise [T]he statutory cause of action for unlawful detainer, Code of Civil Procedure section 1161 et seq., and any other statutory cause of action that could be used to evict or otherwise eject a residential . . . tenant . . . **is suspended** only as applied to any tenancy . . . to which a local government has imposed a limitation on eviction pursuant to this paragraph 2, and only to the extent of the limitation imposed by the local government. **Nothing in this Order shall** relieve a tenant of the obligation to pay rent, nor **restrict a landlord’s ability to recover rent due**.

The protections in this paragraph 2 **shall be in effect through May 31, 2020, unless extended**.

(Order, *emphasis added*.) On May 29, 2020, the expiration date in paragraphs 1 & 2 of the Order was extended for 60 days, to July 30, 2020. The Order therefore allows municipalities to suspend access to unlawful detainer procedures *only* for a four-month period (unless extended). Indeed, it specifically provides that it does *not* “restrict a landlord’s ability to recover rent due.”

In contrast to the Order, the Ordinance provides that a landlord is *permanently* deprived of the remedy of UD action to obtain unpaid rent, if the rent was unpaid for a COVID-19 related reason during the time the Order is in place—from March 16, 2020 to July 30, 2020, unless

extended (the “COVID-19 Period”). But that permanent deprivation necessarily falls outside the scope of the ESA and the Order under the ESA since those authorities permits only the *temporary* suspension of state law. (See *In re Juan C.* (1994) 28 Cal.App.4th 1093, 1101 [ruling that a local curfew imposed under the ESA was constitutional because it was imposed “only so long as an emergency exists”].) Further, the Order unambiguously states: **“Nothing in this Order shall . . . restrict a landlord’s ability to recover rent due.”**

Nor does the City have authority to enact the Ordinance under its police powers. An exercise of a city’s police powers cannot conflict with state law. (Cal. Const. Art. XI, § 7.) The specific purpose of a UD action is to provide landlords a summary proceeding for recovery of possession of their properties based (in part) on any unpaid rent. (*Birkenfeld v. City of Berkeley* (1976) 17 Cal.3d 129, 149-151.) Additional procedural requirements imposed by local government that are not found in the UD statutes raise impermissible procedural barriers between landlords and that judicial proceeding. (*Ibid.*) Here, the City would not only be imposing an additional procedural “requirement” on the UD process, it would be permanently depriving landlords of that process to recover unpaid rents and possession of their property in certain circumstances. The Ordinance is thus inimical to the purpose of the UD statutes. Indeed, given that the Ordinance purportedly amends the San Francisco Rent Ordinance, if a landlord attempts to recover such rents through the filing of a UD action, the Ordinance subjects the landlord to civil and criminal penalties under existing law. The UD statutes thus preempt the Ordinance.

The City’s finding that the Ordinance is permissible and/or consistent with the California Tenant Protection Act of 2019 (“AB 1482”) does not save the Ordinance from preemption. First, while AB 1482 permits local government to enact “more protective” eviction laws, it expressly provides that any such protections must not be “prohibited by any other provision of law.” (Civ. Code § 1946.2(g)(1)(B)(ii).) Indeed, compliance with one state law does **not** authorize conflict with another. (*San Diego Gas & Electric Co. v. City of Carlsbad* (1998) 64 Cal.App.4th 785, 804.)

Second, the Ordinance violates due process and results in an unconstitutional taking of private property without compensation. The Ordinance devalue landlords’ properties by not permitting landlords to use the summary UD procedure to recover possession of their properties despite continued nonpayment of rents. This necessarily means that landlords will be required to invoke the more arduous civil debt recovery process to attempt to remediate the nonpayment issue, even though landlords did not cause the problem to which tenants may now be exposed. (*Levin v. City and County of San Francisco* (2014) 71 F.Supp.3d 1072; *Nollan v. California Coastal Com’n* (1987) 483 U.S. 825; *Dolan v. City of Tigard* (1994) 512 U.S. 374.) Further, as

enacted and drafted, the Ordinance will unlawfully force property owners to accept occupants on their property without compensation. (See, *Loretto v. Teleprompter Manhattan CATV Corp.* (1982) 458 U.S. 419, 435.)

Finally, the Ordinance ironically would likely *increase* the number of evictions after the COVID-19 crisis ends. The Ordinance would lull tenants into a false sense of security that they could ignore their contractual obligations during the course of the COVID-19 Period, which is currently four months. And when the courts ultimately determine that the Ordinance is illegal and void, landlords will exercise their UD rights—but in reliance on the Ordinance, tenants will not have set funds aside to repay their past-due rent.

The Ordinance is a patently illegal regulation that exposes the City to significant liability and will ultimately bring harm to both landlords and tenants. The San Francisco Board of Supervisors should reject and/or amend the Ordinance to eliminate the legal deficiencies outlined herein.

Very truly yours,

ZACKS, FREEDMAN & PATTERSON, PC

/s/ Andrew M. Zacks

Andrew M. Zacks

cc San Francisco Supervisors Clerk
Land Use Committee Clerk
President Norman Yee
Supervisor Sandra Lee Fewer
Supervisor Catherine Stefani
Supervisor Gordon Mar
Supervisor Matt Haney
Supervisor Rafael Mandelman
Supervisor Hillary Ronen
Supervisor Shamann Walton
Mayor London Breed
City Attorney Dennis Herrera
Deputy City Attorney Manu Pradhan

From: [Mary Bhojwani](#)
To: [Peskin, Aaron \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#)
Cc: [Board of Supervisors \(BOS\)](#); [Calvillo, Angela \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Marstaff \(BOS\)](#); [Haneystaff \(BOS\)](#); [Yee, Norman \(BOS\)](#); [MandelmanStaff \(BOS\)](#); [RonenStaff \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Breed, Mayor London \(MYR\)](#); [Cityattorney](#); [PRADHAN, MANU \(CAT\)](#); [Andrew Zacks](#); [Emily Lowther Brough](#); [Emma Heinichen](#)
Subject: Submission for Today's 1:30 PM Land Use Committee Meeting re: File. No.: 200375
Date: Monday, June 1, 2020 9:26:11 AM
Attachments: [2020.06.01 Submission to Land Use Committee re File. No. 200375.pdf](#)
Importance: High

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors Land Use Committee and Clerk of the Committee:

We are submitting the attached letter on behalf of the San Francisco Apartment Association, Small Property Owners of San Francisco, Coalition for Better Housing and the San Francisco Association of Realtors regarding File. No.: 200375 - Administrative Code COVID-19 Tenant Protections, listed as Item 2 on today's Regular Agenda. Thank you for circulating copies to the Board Members and adding our submission to the official record.

Kindly confirm receipt of this submission at your earliest opportunity.

Thank you.

Regards,
Mary

Mary Bhojwani
Assistant to Andrew M. Zacks
Zacks, Freedman & Patterson, PC
235 Montgomery Street, Suite 400
San Francisco, CA 94104
Telephone: (415) 956-8100
Facsimile: (415) 288-9755
www.zfplaw.com

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From: phtrustprop@aol.com
To: [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Major, Erica \(BOS\)](#)
Cc: [Yee, Norman \(BOS\)](#)
Subject: No on #200375
Date: Monday, June 1, 2020 9:16:40 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

We are a “mom & pop” owner of a small residential building in district 3 and we are requesting that you vote **NO on #200375**.

Thank you,
M Leung
Resident of district 7

From: [Bingham Rentals](#)
To: [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Major, Erica \(BOS\)](#)
Cc: [Ronen, Hillary](#)
Subject: Vote NO on #200375, Tenant Protection Ordinance
Date: Saturday, May 30, 2020 10:40:49 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Members of the Land Use Committee, and Supervisor Ronen:

Should you authorize this ordinance, you will be placing landlords such as myself at risk. It will encompass those individuals who are taking advantage of the current moratorium by not paying rent, as well as those residents who have consistently paid rent during this difficult time.

We have one tenant who has, for over six years, been late in paying rent, and stopping payment on rent checks to further delay rent. This individual has not paid April or May rent, and we do not expect him to pay rent in June. He has not contacted us about his inability to pay rent, or to request forbearance. This individual is taking advantage of the situation to not pay rent. By approving this ordinance, you are allowing him to live rent-free for months, and his consistently bad history of paying rent is now moot.

This individual, living rent-free, will be negatively impacting those residents of the building who are paying their rent each month. The loss in rents, will force us to change the quality of maintenance and services they have been receiving. We will be unable to improve those units in need of such work.

We are also experiencing additional hardships as a result of the pandemic. We have 4 other apartments gone empty in March, April and May as our residents search for larger spaces, or move outside SF. We pulled a permit in early March for one unit to improve the bathroom. We were unable to get this permit signed off until recently because there were no building inspectors available to do so. We hope to finally have this permit signed off next week. It has sat without inspection for over a month. We need to renovate one apartment, and were unable to obtain a permit for this project until just recently. It sat empty and without work for two months. One resident left mid-lease and was unable to meet the remaining lease obligations. We have had to absorb this loss, and are still trying to rent this apartment. The Board of Supervisors needs to consider other aspects that have negatively impacted us.

I urge you to vote no on #200375, the proposed "COVID-19 Tenant Protection Ordinance, as currently drafted because it violates state law and conflicts with the governor's executive order on evictions.

Thank you,

Merylee Smith Bingham
Bingham Rentals
682 Shotwell Street
San Francisco, CA 94110
415 269-6093 (cell)

From: [Marylouise Serrato](#)
To: [Yee, Norman \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Ronen, Hillary](#); [Fewer, Sandra \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Haney, Matt \(BOS\)](#); [Major, Erica \(BOS\)](#)
Cc: [Marylouise Serrato](#)
Subject: No on #200375
Date: Saturday, May 30, 2020 10:41:30 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

As a rental property owner in San Francisco your efforts to pass a proposal to permanently prohibit me a landlord from using the state law eviction processes for unpaid rent due to COVID-19 is an abuse of landlord rights.

As a small property owner, I already have tenants who have simply decided not to communicate with me at all about entering into an abatement agreement even though I am very willing to help them through this situation. Tenants are to “self certify” that their inability to pay rent is COVID related. Can I as a landlord “self-certify” that I can no longer pay for repairs, the water bill, etc. because I’m affected by COVID-19? I don’t think so.

I can’t even get my tenants to “self-certify” anything or respond to a phone call or email to try and work out a payment arrangement. I as a landlord have no right to get any information on this situation. I must just sit and wait with no proof from my tenants regarding their rental ability and then when the deadline for rental abatement is over, you will force me into a situation where I have no rights whatsoever to recoup any back rent owed. Even if those who owe it may be in a situation to pay back the rent. Have any of you on the Board of Supervisors taken an Economics class? Do you understand how a capitalist free-economy works? How income and expenses relate to one another? Where do you think landlords get their money to pay for the upkeep of their property? Do we just create it in our basements on a printing press?

Under your proposal I am supposed to allow my tenants to live rent free until September and then accept that they have no obligation to pay back rent owed. In the meantime, I’m under an obligation to pay for insurance coverage, water services, garage services, pest control, mortgage payments, repairs, property taxes, management company fees (oh yeah to pay for them to write those emails that my tenants are under no obligation to even respond).

You have all lost the plot in San Francisco. You are killing the small landlord, driving us into bankruptcy and we are supposed to do this with a smile on our face and with the knowledge that we are helping those less “fortunate” than ourselves until the day we become one of the less fortunate ourselves.

This is a short-sited, patently unfair and financially irresponsible proposal. Vote No.

Marylouise Serrato
ml.serrato@me.com

From: [Soher Youssef](#)
To: [Major, Erica \(BOS\)](#)
Subject: No on #200375
Date: Saturday, May 30, 2020 11:35:21 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I urge you to vote NO on this ordinance. I am a retired woman on a fixed income with one rental unit in San Francisco. This would cause a huge burden on me and my ability to pay my mortgage, property taxes and other expenses on this property.

Thank You,

Soher Youssef

From: [Nettie Atkisson](#)
To: [Safai, Ahsha \(BOS\)](#); [Ronen, Hillary](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#); [Major, Erica \(BOS\)](#); [Cityattorney](#); [Peskin, Aaron \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Phil Ting](#); [Gamboa-Eastman, Tara](#)
Subject: California is trying to pass rent assistance now. See articleinside
Date: Saturday, May 30, 2020 1:15:24 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

<https://caanet.org/caa-sponsored-rental-assistance-bill-passes-first-committee/>

Dear Supervisors,

I continue to be perplexed and stressed out by the ordinance you are suggesting by Dean Preston. First of all, many of us landlords are small businesses. So many people, as they should be, are rushing to assist small businesses and giving them loans. Why is your approach to punish landlords again for providing a needed service, especially when people are supposed to stay home. Our work is essential. We just made sure that our tenant had needed repairs as SOON as it was possible to do so. Some issues came up during the shelter in place. We are working to be ethical, responsive and make sure the house is safe. Where does that money come from time after time after time after time?

However, CA is trying to get rental assistance with the rainy day fund. Why don't we all just get behind this and work and work to make it happen? Why are we spending our time debating and fighting instead of working together and looking for solutions?

This is what concerns me. When governments decide that legal contracts are not valid in emergencies, where does this end? Think about what is happening in Hungary, in the Philippines, in Brazil. Leaders decide they will use the EMERGENCY to make a power grab. This feels very much like that.

Why not call us? Let's all have a conversation where we have a stake in it, where we look at the problem and work together to solve it? NO ONE likes to be forced, penalized, punished, demonized. Especially when they are doing exactly what they are supposed to do.

I am sanitizing common areas. I hung up all the info on Covid. We make sure the repairs are needed and done. Why does that make you hate us? Why are we not seem as constituents going through a global crisis and pandemic too? Why do we spend Monday fighting an imposed power grab instead of putting our minds together to come up with solutions?

There is an interesting podcast from HIDDEN BRAIN and a behavioral psychologist talks about how most people really want to do good. There are outliers for sure. All of this would have been so much better received if you would have asked landlords for their ideas after presenting the problem and the pressures you are under. It is just so disappointing that Dean and Aaron seem to lead by demonizing groups. You could have just asked people to donate. You could have told people they get a tax credit. You could have done so many things instead of coming in like bulls in a china shop and making an ordinance that looks like you are blaming landlords for this current situation.

We did not create this crisis and we are suffering through it too. It is scary as hell to live in a city where OVER AND OVER we are demonized and punished. Please stop assuming we are

all monsters out for money who care nothing for this city or individuals. Instead of getting help from the government in a crisis, I am being attacked by it. Please help me understand how that makes any sense?

Nettie Atkisson

https://s3.amazonaws.com/thinkific/file_uploads/206495/attachments/4b6/b64/bf6/DAY_7_-_RAIN_on_Blame_with_Tara_Brach.pdf

Sent using Siri voice recognition. Mistakes guaranteed.

From: sdsrr@aol.com
To: [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); Hilary.Ronen@sfgov.org; [Safai, Ahsha \(BOS\)](#); Catherine.Sefani@sfgov.org; [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: No on #200375
Date: Saturday, May 30, 2020 1:18:10 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board Members,

I am a building owner in San Francisco. I would request you to vote No on Bos File #200375. I have to pay a mortgage and rent to the City (property taxes) along with all the other expenses for my building. If the supervisors do not suspend taxes and the lenders do not suspend loan payments I cannot keep my building without the rents that pay the expenses. If I cannot pay for the building it will go to the lender. We all saw first hand what happened in Stockton 2008-2014 when the properties went to the lenders. The buildings were boarded up, vandalized and ultimately torn down. It would be a shame to see San Francisco in the same state. The ordinance if passed would significantly devalue property and make the owners responsible to bear the economic burden of the pandemic while the City is at the same time collecting taxes to protect itself and ignoring any financial responsibility. The ordinance is a violation of due process as well as an unconstitutional taking of private property. While I understand that the Board cares more about votes from renters than owner's property rights, this is a decision that could impact the future of the City for a long time past the pandemic. Please vote No and maintain the status quo. Thank you.

Scott D. Schwartz
1920 Lake Street
San Francisco, CA 94121

From: [Yasemin Kliman](#)
To: [Major, Erica \(BOS\)](#)
Subject: NO vote on #200375
Date: Saturday, May 30, 2020 1:45:32 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Ms.Major,

My name is Yasemin Besik and i own a 3 unit residential building located at 46-48 Wayne Place in San Francisco. I'm a first generation immigrant who came to the United States on my own at age 17 to attend college on a scholarship with no resources and I'm now proud to call myself a US citizen.

I'm writing to you to ask for a NO vote on #200375 on June 1st. My 3 unit building is the only investment real estate i own that i bought with my life savings so I'm very alarmed about the implications of Bill # 200375. This proposal will make it nearly impossible for small property owners like myself to collect unpaid rent and places the financial burden of COVID-19 on small property owners who still need to pay fixed mortgages, property taxes and maintenance expenses. As much as I sympathize with the renters who suffer financially due to the pandemic, it is not acceptable for the city to prohibit housing providers who also have been financially impacted from using California state law to enforce our rights.

Thanks for your attention to this matter.

Regards
Yasemin Kliman

From: [Katrina Smith](#)
To: [Major, Erica \(BOS\)](#)
Subject: NO ON #200375
Date: Saturday, May 30, 2020 2:42:37 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

As a residential property owner in San Francisco, I urge you to vote NO on #200375.

While I am in complete agreement for a temporary freeze on evictions (and raises), it cannot continue in the long term. In fact, at the beginning of the Covid-19 situation we decided to put a freeze on rents before the city even gave us guidelines. We are more than willing to work with our tenants, but it eventually things need to go back to normal.

Personally, I don't want to see landlords and tenants constantly pitted against each other. It's exhausting. And unfair. We should be working together. But I am trying to run a business, and if you take away my rights, there will be one more instance of making the landlord the "bad guy".

We aren't all bad!! Some of us are just trying to do our jobs ...which is to take care of peoples homes. Please stop making us jump through hoops. There will be a domino effect if you take away our rights to run our business effectively. If we aren't paid, we will be unable to pay our bills and mortgages, and will will not be able to make improvements in a timely manner.

Do you know who will suffer? The landlords, to be sure, but also the tenants!

Again, we are taking care of people's homes! The tenants aren't the only people you represent. You represent me as well. Please help us

instead of hurt us.

- This proposal will make it nearly impossible for small property owners to recoup unpaid rent and places the financial burden of COVID-19 on small mom property owners who have fixed mortgages, property taxes, employees, and maintenance expenses.
- This proposal, along with the closure of the court system, would allow tenants to live rent free from March 2019 to potentially September and beyond-- and landlords would have no legal recourse to recoup unpaid rent.
- The Board of Supervisors cannot and should not prohibit housing providers who have been financially impacted by COVID from using California state law to enforce our rights.

Katrina Smith
3740 25th Street #305
SF, CA 94110

From: [Kam Jalili](#)
To: [Major, Erica \(BOS\)](#)
Subject: Covid-19
Date: Friday, May 29, 2020 6:08:38 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Erica,

Not every landlord in SF is a super-rich person(or family), private equity firm, or some national apartment holding company. I built my business from scratch and worked super hard for over 40 years. During that time as a small business owner I employed people, paid them well and took care of them. Always paid all my taxes and fees in SF on time and put my all life savings in a small building, hoping its income will provide for me and my family when I retire, which is now.

I have always treated my tenants as my family members and habitually charged them below going market rent, keeping them comfortable and content. City allows me a meager annual rent increase while water, utility, garbage collection and various city fees constantly are increased by percentages way above the allowed rent increases. We, as small landlords, are providing A vital service to people who need shelter in SF, but consistently are being treated as villains by the city authorities. I always wondered why.

SF rent control already has given tenants vast powers and they use it fully whenever they can. Now you are going to give them much more protection and ability not to pay rent without any valid reason or need?

Why not ask my bank not to collect mortgage and take away the fear of default off my shoulder? Why not ask the city not to collect property taxes and take away the fear of prosecution? Why not ask SF water, PGE, Sunset Scavenger Service etc, etc. to defer collecting monthly charges?

Appropriate measures in establishing rules and laws are fundamental to have business operations to run in a fair and equitable manner in a civil society such as ours. Why city of SF just keeps on squeezing the landlords? This is not right rationally, economically or morally! I strongly urge you not to support the extension of Covid-19 eviction rules.

Best regards,

Kam Jalili
Small landlord in your district

Sent from my iPad

From: [Berg Tehlirian](#)
To: [Major, Erica \(BOS\)](#)
Subject: NO on #200375
Date: Friday, May 29, 2020 9:41:42 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Major,

This ordinance while attempting to create relief beyond what has already been created by the State and City actually shifts and concentrates the strain to small family operated businesses. Without equal relief our small businesses will not be able to make payments on mortgages, taxes, utilities or maintenance. In addition, with the court system being closed, legal relief is no longer available and abuse will go unchecked. The Board of Supervisors not prohibit the use of state laws. I'm a housing provider in the city.

Regards,

Berg Tehlirian

From: [Ryan Shane](#)
To: [Major, Erica \(BOS\)](#)
Subject: No on #200375
Date: Saturday, May 30, 2020 8:12:34 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Major,

As a property manager, owner of two small apartment buildings, and small business owner, I am writing to urge your vote of “no” on 200375.

The city does not have legal authority under the Governor’s order to permanently restrict a landlord’s ability to recover rent due.

This proposal will make it nearly impossible for small property owners to recoup unpaid rent and places the financial burden of COVID-19 on small mom and pop property owners who have fixed mortgages, property taxes, employees, and maintenance expenses.

This proposal, along with the closure of the court system, would allow tenants to live rent free from March 2020 to potentially September and beyond-- and landlords would have no legal recourse to recoup unpaid rent.

The Board of Supervisors cannot and should not prohibit housing providers who have been financially impacted by COVID from using California state law to enforce our rights.

Small owners are particularly hard hit by renters who cannot pay. If even one renter in a 4 unit building can't pay, the owner is also experiencing a financial hardship.

Ryan Shane
Property Manager
The Housing Guild

T: (415) 683-1231
E: ryan@housingguild.com

CA BRE #01872112

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From: [Cristina di Grazia](#)
To: [Major, Erica \(BOS\)](#)
Subject: eviction ordinance and unpaid rent
Date: Saturday, May 30, 2020 9:04:25 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Erica,

I am a trustee owner of two buildings in the city of SF where as my grandfather bought the buildings over 65 years ago. Both of them are in rent controlled areas. The trust is in perpetuity and irrevocable, terms which were written in a way and with so many beneficiaries I am always on the hot plate managing these buildings as my fiduciary requires and constantly trying to comply with the many many ordinances by the city of SF. These buildings do not generate a lot of income and most of the tenants have lived there FOREVER. They pay a mere \$1000- \$3000 for 2 bedroom 2 bath units. One building is 7 units and the other 11. Between the overhead these older buildings built in the 30's constantly require, the mandated earthquake retrofits that cost us \$600,000 (we had to take a loan, which we cannot refinance due to a huge fee) the mandated fire alarm requirements (another \$30 k or more per building) and now covid we can't get a break. We are always on edge, waiting for the city to tell us our building is non compliant because of the unreasonable time frames with which he need to fulfill our obligations- which finding the revenue stream to be compliant with these constant ordinances and dealing with the contractors who are complete extortionists.

We have been working with tenants who have requested lower rents for a temporary period which we always agree to and yet they refuse to agree to sign a forbearance. We offer the forbearance to be applied to their security deposit when and if that were to happen. It's all in good faith, and just to be clear none of these tenants have provided proof of being furloughed or have been symptomatic from covid, nor have we asked. The landlords have very little rights and even more so in rent controlled areas. I depend on these rents to make ends meet and to be able to continue providing habitable and safe living environments.

I am appealing to you that there is a balance taken into consideration due to covid, keeping in mind that rent needs to be paid in a timely manner and that landlords deserve some way of protecting ourselves so we can maintain good standing in terms of what the city mandates and staying financially afloat.

Thank you for your time

Cristina di Grazia on behalf of the Beatrice di Grazia GST exemption Trust
1414 Greenwich St and 2080 Vallejo St
San Francisco

P.O. Box 284
Stinson Beach, CA 94970
c.digrazia@gmail.com
415-710-1048

From: [Susana Bates](#)
To: [Major, Erica \(BOS\)](#)
Subject: No on #200375
Date: Saturday, May 30, 2020 9:45:26 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Major,

I am writing you this letter to implore you to vote no on ordinance #200375.

I live in the Outer Richmond neighborhood and also have a small rental unit a few blocks away. My rental unit was my very first home that I ever purchased. It was the perfect size for me at the time. However, we needed more space because my father was diagnosed with dementia and I wanted to take care of him so we were fortunate to find a larger home nearby, in the neighborhood I love. One day, this home will be too large for us and I will want to move back to my condo. In the meantime, I am relying on rent to be able to make ends meet. I have lost all of my income due to Covid 19 so this rent is really important to me. I have been lucky so far as I have tenants who are still employed and can make their rent. This could change and I know that is not the case for everyone.

While I feel for tenants who have lost their income, this proposal will place undue financial burden of Covid-19 on small mom and pop property owners like me. And there are many small property owners in San Francisco who will be affected. Owners who have fixed mortgages, property taxes and maintenance expenses.

The city does not have legal authority under the Governor's order to permanently restrict a landlord's ability to recover rent due. The Board of Supervisors cannot and should not prohibit housing providers who have been financially impacted by Covid 19 from using California State law to enforce our rights.

These are hard times for everyone. Landlords. many of us just trying to make ends meet, should not have to take the brunt of this economic crisis.

Once again, I implore you to vote no on #200375

Sincerely,
Susana Bates

From: [Nettie Atkisson](#)
To: [Ronen, Hillary](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#); [Major, Erica \(BOS\)](#); [Cityattorney](#)
Subject: Please do not support the Covid Ordinance by Supervisor Preston
Date: Monday, June 1, 2020 2:39:16 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

It feels wrong to be talking about this after the deaths of George Floyd, Tony McDade, Sean Reed and Breonna Taylor Ahmaud Arbery. Sadly, here we are. I don't take the topic of land use lightly. Sadly, land use has been a way that we have terrorized people of color in the united states since the beginning of European Immigrants. Equal Justive Initiative Founder an Civil Rights attorney Bryan Stevenson was always sad when many white Americans would say that September 11 the was first terrorist act on US soil. Mr. Stevenson has shown us over and over that way of thinking is totally untrue and flawed. Native people and African Americans were terrorized on US soil hundreds of years before September 11 and they still are. The ordinance before us today is much bigger than getting through the current crisis. What it shows is that this city has become very divided and what we need to do is strengthen community.

I would like to share a quote about community from Peter Block and I suggest his book about community to everyone.

“When we shift from talking about the problems of community to talking about the breakdown of community, something changes. Naming the challenge as the “breakdown of community” opens the way for restoration. Holding on to the view that community is a set of problems to be solved holds us in the grip of retribution. At every level of society, we live in the landscape of retribution. The retributive community is sustained by several aspects of the modern community conversation, which I will expand on throughout the book: the marketing of fear and fault, gravitation toward more laws and oversight, an obsession with romanticized leadership, marginalizing hope and possibility, and devaluing associational life to the point of invisibility.”

– Peter Block, [Community: The Structure of Belonging](#)

Leadership in SF tends to consistently fall back on retribution and gravitate towards more law and oversight. I see no evidence that these laws and oversight have improved the housing crisis or the affordability crisis. I see a lot of evidence it is making it worse. People see the many risks at providing rental units in this city and they decide it is not worth it. Units are removed. Less units means less housing. Less supply with high demand means higher pricing. It is not correct or accurate to hold the majority of landlords responsible for the extremely complex issue of affordability and a housing shortage when it is composed of many complex legislative issues like Prop 13. Instead of leading by trying to decide who is at fault and who we can blame, How can we build community and inspire the city toward a common purpose where more people want to contribute because they feel it can make a difference.

I was talking to a wealthy banker and telling him he needed to do more for the city. "Why would I?" he said " Look at everything Benioff does and nothing changes because of SF Gov policies". We need more people carrying the plow and planting the seeds. We cannot do this by seeking retribution against some stakeholders. We need to bring all stakeholders to the

table instead of tying some of the stakeholders to the stake and holding them accountable for issues that are much bigger than they are.

“The key to creating or transforming community, then, is to see the power in the small but important elements of being with others. The shift we seek needs to be embodied in each invitation we make, each relationship we encounter, and each meeting we attend. For at the most operational and practical level, after all the thinking about policy, strategy, mission, and milestones, it gets down to this: How are we going to be when we gather together?”

– Peter Block, [Community: The Structure of Belonging](#)

• We are a community of possibilities, not a community of problems. • Community exists for the sake of belonging and takes its identity from the gifts, generosity, and accountability of its citizens. It is not defined by its fears, its isolation, or its penchant for retribution. • We currently have all the capacity, expertise, programs, leaders, regulations, and wealth required to end unnecessary suffering and create an alternative future.”

– Peter Block, [Community: The Structure of Belonging](#)

“Invitation is not only a step in bringing people together, it is also a fundamental way of being in a community. It manifests the willingness to live in a collaborative way. This means that a future can be created without having to force or sell it or barter for it. When we believe that barter or subtle coercion is necessary, we are operating out of a context of scarcity and self-interest, the core currencies of the economist.”

– Peter Block, [Community: The Structure of Belonging](#)

This is not just about one ordinance. This is about how we govern San Francisco and what the future will look like. It is not ok to make contracts null and void in a crisis. Let's invite stakeholders to talk and work together to find solutions instead of imposing yet more ordinances. We see leaders around the world with different styles. While Jacinda Ardern works hard as a calm and loving presence to unite her community and constituents behind a common cause, we can see other leaders like Viktor Orban in Hungary use the Covid crisis as the excuse for a power grab in the name of security. New Zealand looks pretty safe to me. It also looks happier and people are living with less stress and fear. I hope the leaders of SF will decide to govern like Jacinda Ardern and others like her by respecting the rule of law and considering that many landlords too are essential small businesses at a time when people are supposed to be staying home and the homes need to be safe. As a preschool director I know that if I want to reduce conflict, I need to reduce stress. This ordinance does not reduce stress and will lead to more conflict. Rental assistance does. Instead of reinventing the wheel, let's put out energy into supporting the state level and efforts for rental assistance. Please don't punish landlords for a global pandemic when we too are trying to pay bills and ensure safe housing that is so essential right now.

Even the very title "The ordinance for Covid 19 Tenant Protections" makes it sound like landlords are someone that people need to be protected from. Come on guys. Do we really want to live like this and lead the community this way?

The safer we feel, the less we hate.

What causes hatred? It is caused by the perception of threat. Threat is you facing something that will finish something that you hold dear. Maybe (and I mean this sincerely not as an attack) you are afraid Landlords will cost you your election. Please don't demonize landlords as a threat. I am sure some are terrible but most of us need rental income and work hard to maintain old Victorians so they are safe for our tenants whom we see as human. When we

are afraid, it activates our amygdala. Not only is it fear, but it leads to aggression. Our community will be so much stronger if we see each other as human. We need to be very careful what we label as threats. Instead, let's have dinner and work together. Landlords want to be a part of the solution but Supervisor Preston's ordinance is not the solution.

Thank you.

From: [Prism Investments](#)
To: [Preston, Dean \(BOS\)](#)
Cc: [Major, Erica \(BOS\)](#); "[Charley Goss](#)"
Subject: NO on 200375!
Date: Monday, June 1, 2020 2:06:29 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Preston,

I'm struggling to speak on the 1:30 meeting but I'm afraid this will prove difficult—I'll still on the call.

We own three flats in your district and we lived in one of these flats first as a tenants then as a property owner with two mortgages for decades.

NO on 200375! This is simply theft under the guise of compassion.

What about small property owners who under rent control and City ordinances:

1. Incur legal costs to do anything in this highly regulated anti-landlord environment.
2. Face unrelenting costs and obligations such as:
 - a. Mortgages
 - b. Property taxes
 - c. Insurance (Ours has gone from three figures to mid four figures per year AND our coverage is less.)
 - d. Utilities—water, sewer, pest control, garbage, etc...
 - e. Super high maintenance costs big and small--including major "retrofit" obligations
 - f. Legal costs—we no longer speak directly with tenants because rent control is a legal landmine—with the tenants planting the mines and the property owners getting blown up.
 - g. Restrictive permitting and City obligations and fees.
 - h. Management costs: For three flats in SF we have:
 - i. Two CPAs involved: my CPA wife who does basic double entry bookkeeping and a TAX CPA. Out taxes cost in the mid four figure every year to file.
 - ii. An experienced professional friend who we pay to take tenant phone calls, do handyman maintenance and oversee larger work.
 - iii. Myself who has since 1979 has spent considerable time working on and dealing with the flats.
 - i. Membership costs. We quickly learned that no one loves a landlord and the ONLY organization we have to turn to is SFCAA. We pay our dues to get a little advice and a friend to turn to as we're constantly assailed by tenant advocate groups and the City of San Francisco itself.

To a large extent San Francisco itself has created its own housing crisis; it did this by:

1. Having a NIMBY attitude about development.
2. Enacting building codes and policies that make it almost—and sometimes completely—impossible to make a profit building residential housing in San Francisco.
3. Having a permitting process that adds years, fees and terrifying uncertainty to development
4. Encouraging businesses, such as Twitter, to settle in SF before and after the 2008 downturn to garner more taxes for the City and to effectively pump up the City's population like a balloon.
5. Failing to control the City budget and limit City government to efficient government with reasonable personnel policies and pensions costs.
6. Seeing everything that happens in the City—my home for decades—as a potential source for City

income.

7. Ignoring downturns and the fact rents do not always go up by creating a rent control system that ALWAYS favors tenants at the expense of property owners and only ratchets rents down and does not allow them to freely follow the market.
8. Enacting rent control in 1979 and almost always siding with activist tenants so that SF has evolved into the most Draconian rent control on the west coast. Small time property owners leave properties vacant so their kids and relatives can use them and so they don't have to deal with tenant, while those with big mortgages and taxes absolutely must rent at market rate, to handle the costs and because they encounter no turnover and tenants sublet at a profit at will at below market rents.

The idea that a landlord has to pay all the costs associated with ownership of property, but cannot collect rent because of tragic circumstances places the burden of these tragic events disproportionately on the property owner.

Most everyone suffers in these times, but we must do so fairly together.

Do the tax authorities agree to forgo their taxes, or the banks the mortgage payments, or the utilities their utility build...obviously no.

Finally I actually can't see how any of this is legal; it's a clear "taking."

Please vote NO on 200375!

While the State of California might be able to help in some limited cases, **THE ONLY SOLUTION to this whole problem lies at the Federal level. Only the Feds can print money and this is actually the time to do so.**

Stop focusing on taking from one group to give money to another and lobby for active FEDERAL actions given the pandemic and recent civil unrest.

Please vote NO on 200375!

Best wishes and never any offense intended to any party

Joe Ansel

From: [dave.collins](#)
To: [Major, Erica \(BOS\)](#)
Subject: unable to access meeting, no attendee # (No on 200375)
Date: Monday, June 1, 2020 2:02:47 PM
Attachments: [1 Good afternoon San Francisco Board of Supervisors and members of the land use Commission1.docx](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is David Collins and because of technical problems, ...no attendee # ???

Anyway, Attached here are my thoughts regarding Covid -19 and proposed legislation.

No on Number 200375.

If you could please pass onto Board of Supervisors, I would greatly appreciate it.

Thank you,

Dave Collins
Property Owner/ Small Business Person
San Francisco
415-240-1248

Good afternoon San Francisco Board of Supervisors and members of the land use Commission.

My name is Dave Collins and I have lived and have worked here in San Francisco for over 25 years. In that time, I have owned and operated a number of local businesses, I have been involved in several tech startups and also owned several small multi-unit residential properties here in the City. I consider myself a typical small property owner and I take pride in my buildings and try to keep them clean, safe and pleasant places to live.

In the over 20 years of being a property owner here in San Francisco, I've signed well over 100 rental contracts and have been to the rent board only three times in order to resolve tenant/property owner related issues. I have prevailed each time or I should say, reached a tenable compromise. And in all of this time, I have never evicted a tenant for any reason.

I have at times, actually stood with and beside some of our tenants as we fought together to protest some questionable zoning and redevelopment plans that affected their homes here in Hayes Valley. I have had some tenants that I got to know a little better do side jobs to help them make ends meet. I have had these folks do bookkeeping for me, programming for websites, craft architectural drawings, do research, cut my hair, clean apartments, show apartments and help manage buildings. Resident and property owner relationships do not always have to be contentious. But of course, like everywhere else in life—there are always a few bad actors, I assure you that I am not one of those.

First, I believe the word “landlord” is pejorative and I prefer that in any proposed legislation we be referred to as “property owners.” I also prefer that the word “tenant” be replaced with “resident.,” but not all residents are tenants, so never mind.

These terms are outdated and imply or suggest subjugation and domination on the part of a “landlord” and victimization and marginalization on the part of a “tenant.” This is not feudal England—I hope we all begin to move forward and all be referred to by the terms we identify with. There are many advantages of being a tenant, especially when you are younger. Tenants are not necessarily victims....

Okay, now about the proposed legislation, it is certainly well meaning and will manage to keep more folks off the street, “which I think is the major incentive to introduce this legislation.” However, the ugly fact is- San Francisco can't afford anymore homeless people on the street and the city is trying to shift the FINANCIAL BURDEN and responsibility of housing these “potential future homeless folks,” that may not be able to pay rent for a very long time.

It's not just the missed rent the owner would be subsidizing, we also have to pay for water, power, waste removal, intercom systems, general building maintenance and of course property taxes. I have already one tenant amicably break their lease and move out within the last two months. I have two other apartment that are vacant because I am not able been able to finish the permitted construction because of Covid-19 shelter in place order. At the suggestion of the San Francisco Apartment Association, I am working with three other tenants on payment plans that will cost me several thousands of dollars more throughout June, July and August.

I want you all to know that us small business and small property owners are already hurting; we have already been severely impacted by the pandemic. There needs to be relief for small property owners built into your proposed legislation if you want it to be successful.

The banks expect my loans to be paid in full each month; there is no forbearance, loan forgiveness, or loan modifications available. This proposed legislation is not viable for us - if you deny the owners the right to collect the rent that is contractually agreed upon. **The proposed legislation would “materially” change the terms of all our rental agreements while ignoring the underlying financial obligation to the banks.** The City Government shouldn't be allowed to change the terms of our rental agreements without changing the terms of our mortgage contracts. If this legislation passes and things get any worse—the big banks will all get bailed out – again; tenants can live for free and the property owners will be ruined.

Don't take my word for it, read Robert Reich's new book, *The System, Who rigged it and How to fix it*. It's a good summer read and you will see that it is not us local property owners that are the villains here.

I agree, Board of Supervisors, No one should lose their home because of this Pandemic. However, what is not acceptable is trying to make property owners pay for what is really a social program to avoid even more homelessness. We property owners obviously didn't cause the pandemic.

With this “easy” solution the City would simply be shifting the burden of responsibility—because our political systems have not been able to make the tough decisions necessary to properly address the homeless crisis.

Government at all levels should partner up to help find the way out for all of us. Property owners are not the enemies of tenants, and we are not your enemies, we are your partners. We are all working toward providing the best housing solutions possible right now- in very difficult times.

Please do not irresponsibly hurt us in the haste to help the homeless. Let us find ways of working together that lifts up all San Franciscans.

Please withdraw this proposed legislation and let all the small property owners join with you and all the other stakeholders in finding the way forward that doesn't punish anyone and actually solves this otherwise divisive societal problem.

Sincerely,

David Collins

From: [Renee Engelen](#)
To: [Major, Erica \(BOS\)](#)
Subject: Fwd: No on #200375
Date: Monday, June 1, 2020 1:45:07 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

PLEASE READ!

This is regarding 3 buildings located in Parkside and Noe Valley.

Sent from my iPhone, please forgive any typos

Make it a great day!

Renee A Engelen, CalBRE [01879547](#)
HRH Real Estate Services

[O] - [415-810-6020](#)
[C] - [415-827-2444](#)
www.HRHRealEstate.com



Property Management | Leasing Services. | Sales

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Begin forwarded message:

From: Donald Williams <dcedar@sonic.net>
Date: June 1, 2020 at 11:13:52 AM MST
To: "mailto:Aaron.Peskin"@sfgov.org, "mailto:Dean.Preston"@sfgov.org,
"mailto:Ahsha.safai"@sfgov.org, "mailto:erica.major"@sfgov.org,
mandelmanstaff@sfgov.org
Subject: No on #200375

Dear Supervisors,

Disallowing evictions for non-payment of rent would be astonishingly unfair for landlords who would be providing a service without compensation. A social problem should be solved by society, not scapegoated to landlords.

My 94 year old bed-ridden mother relies on rental income from her small buildings to pay her round-the-clock care-givers. She and my father worked a lifetime for a secure retirement.

She has excellent relations with her tenants. But proposal 200375 would be astoundingly unfair. Terrible idea. Terrible!

--

Donald Williams
Calistoga, CA 94515
www.donaldcalistoga.com
707-479-8660

From: [Chema Hernández Gil](#)
To: [Safai, Ahsha \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Major, Erica \(BOS\)](#)
Cc: [Sandoval, Suhagey \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#)
Subject: SEIU Local 1021 supports the Eviction Protection Ordinance
Date: Monday, June 1, 2020 1:46:44 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

I am writing to you to express support on behalf of SEIU Local 1021 for the Eviction Protection Ordinance/COVID-19 Tenant Protections item that is on the agenda at today's SF BOS Land Use and Transportation Committee.

We have carefully reviewed the legislation and believe that it would have a significant positive impact on our members, their communities and San Francisco as a whole. We hope that this ordinance moves today from the committee to the full board with your committee's recommendation.

Thank you for your time and attention,

Best regards,

Chema

From: [Nancy](#)
To: [Major, Erica \(BOS\)](#)
Subject: NO on #200375
Date: Monday, June 1, 2020 12:48:21 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Major,

I would like to voice my opposition to Ordinance number 200375, Covid-19 Tenant protections being heard today at the land-use committee hearing.

This proposal will make it nearly impossible for a small property owners to recoup unpaid rent and places the financial burden of COVID-19 on small property owners. We have fix mortgages property taxes city imposed fees and maintenance expenses. The board of supervisors cannot and should not prohibit small property owners who have been financially impacted by COVID from using California state law to enforce our rights.

The city does not have legal authority under the governors order to permanently restrict a landlords ability to recover rent due.

Thank you for your consideration of my opposition.

Respectfully,
Nancy Yee

From: [Nancy](#)
To: [Major, Erica \(BOS\)](#)
Subject: NO on #200375
Date: Monday, June 1, 2020 12:48:21 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Major,

I would like to voice my opposition to Ordinance number 200375, Covid-19 Tenant protections being heard today at the land-use committee hearing.

This proposal will make it nearly impossible for a small property owners to recoup unpaid rent and places the financial burden of COVID-19 on small property owners. We have fix mortgages property taxes city imposed fees and maintenance expenses. The board of supervisors cannot and should not prohibit small property owners who have been financially impacted by COVID from using California state law to enforce our rights.

The city does not have legal authority under the governors order to permanently restrict a landlords ability to recover rent due.

Thank you for your consideration of my opposition.

Respectfully,
Nancy Yee

From: [Betty Pan](#)
Subject: SF city propose ordinance #200375
Date: Monday, June 1, 2020 12:03:43 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Sir and Madam,

Regarding proposed ordinance # 200375.

This proposal will make it nearly impossible for small property owners to recoup unpaid rent and places the financial burden of COVID-19 on small mom and pa property owners who have fixed mortgages, property taxes, and maintenance expenses.

Please note that we, as an property owner. We have been working very hard saving money to purchase the property.

As a retiree,the rental income is one of our main source of income for living.

Please understand our side of hardship too.

Please Do Not pass this ordinance! Your understanding is greatly appreciated!

Sincerely,

Betty Pan
Property owner

From: [Tatiana Chekasina](#)
To: [Major, Erica \(BOS\)](#); [Fewer, Sandra \(BOS\)](#)
Subject: NO on #200375
Date: Monday, June 1, 2020 11:57:35 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

As an owner of a 6-unit building with the 5 out of 6 units paying rents that are under half the market rents, I do not feel it is fair to put the burden of such a difficult situation on the shoulders of small building owners. Most of my tenants are paying \$1,400 for a 2-bedroom apartments. I do not feel I should be subsidizing them any further for months on end.

I have frozen rent increases, offered forbearance agreements and generally have been very patient with my tenants during this time.

How will I pay my mortgage and taxes if there is not recourse for me to collect what is owed? It is hard enough and expensive enough to evict tenants already.

I had been forced to seek and received a restraining order against one of the tenants because of threats to me and my family when he could not pay rent.

This will put me into further disadvantage with these types of bad actors.

Sincerely,
Tatiana Chekasina

From: [Yuka Tomita](#)
To: [Major, Erica \(BOS\)](#)
Subject: No on #200375
Date: Monday, June 1, 2020 11:45:23 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Major,
I know the hearing for #200375 is coming today and would like to hear why I request you to vote no on this proposition.

I am a small landlord who owns a few units in San Francisco. I saved all my life to buy those unit one by one barely making mortgage in a hope to secure my family needs and children's in the future. If I were not allowed to seek the rent income I am depending on to pay the mortgage, I will face losing the property to the bank less than two months.

This proposition would not harm a big property investment company or a venture capital but please know there are many family landlord like us putting our hope and hard work on real estate where we have been paying tax on every year to support cities and residents.

I hope you could help us and vote no.

Thank you for your time.
Yuka Tomita

From: [David Kahn](#)
To: [Major, Erica \(BOS\)](#)
Subject: Hearing on #200375
Date: Monday, June 1, 2020 11:11:54 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Clerk Major:

Please enter this email into the record for the hearing on #200375. Thank you.

I own one rental property in San Francisco with a total of 3 units. We are empathetic to the severe economic challenges tenants may have in light of the Covid-19 pandemic and that jobs have been lost. We have been working with our tenants to provide flexibility and support during this challenging time. That said, we continue to need to meet our monthly mortgage, utilities, insurance and maintenance payments and have been provided no relief on any of those recurring payments, which of course we continue to make. The proposed Ordinance #200375 goes beyond what is reasonable for the protection of tenants and to cooperatively make it through the current closures, and would shift the entire financial burden of Covid 19 onto many small landlords who, while able to defer and adjust payments during the crisis, are not in a position to continue to meet their financial obligations for the property with an extended and permanent prohibition on being able to use state law remedies if tenants don't meet their obligations after extended moratorium and grace periods. Ultimately, this would adversely affect tenants whose landlords would not be able to meet the financial obligations for the property and would need to either sell the property or face foreclosure. I'm certain this is not a result you and the Board want.

Please continue to work on reasonable moratoriums and landlord-tenant compromises that will enable everyone to make it through the Covid 19 pandemic and economic uncertainty. But Ordinance #200375 is all-advised and I urge you and your colleagues to vote No on it. Thanks you for your time and consideration.

Respectfully,

David Kahn
SF Small Landlord

From: mrmpr@earthlink.net
To: [Major, Erica \(BOS\)](#)
Subject: Land Use Comm: Today: Reso 200375: Item 2: "Tenant Protections" : OBJECT
Date: Monday, June 1, 2020 11:04:47 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Forwarding to you a copy of letter emailed to Supervisors Peskin, Safai and Preston.

Thank you.

June 1, 2020

Re: Resolution 200375, Tenant "Protections"... Land Use Committee Item 2, Today's Agenda

Dear Supervisor Peskin and Staff:

I am writing to express deep disappointment with the lack of balance and care with which this proposal has been drafted and to express my strong opposition to it in its present form.

Your obligation as a public official is to ensure that care is taken and balance is achieved across ALL of the interest groups and constituencies. This legislation (which I have read) appears to propose a meat ax approach to the issue which is entirely advantageous to "tenants" who are relieved of any accountability in exchange (even to genuinely prove they meet the criteria of actual hardship) and entirely disregards the legitimate moral and legal rights of the "landlords".

I am a "landlord", of a very small numbers of units, on a property on which I live. I do NOT object to legislation which provides protections and forbearance for tenants who have genuine Covid caused economic

hardships.

That should be accomplished by legislation which is carefully thought out to balance the legal and legitimate rights of all parties and provides means to hold all parties accountable.

For example, this legislation appears to utterly disregard the fact that even one tenant who has no Covid caused hardship can use the right provided to “cheat” the intended purpose, potentially creating severe hardship for his/her “landlord” which hardship the Board of Supervisors has no power to mitigate and apparently does not care.

I strongly oppose this measure as proposed.

Mark Ryser

From: [Thomas Orgain](#)
To: [Major, Erica \(BOS\)](#)
Subject: NO on #200375
Date: Monday, June 1, 2020 10:18:24 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Sent from [Mail](#) for Windows 10

Dear Land Use Committee Members – SFBOS

We are District 4 residential property owners and reject this measure in its entirety – no longer will tenants and landlords be able to operate in good faith and harmony as a result of this ridiculous regulation. This is another unrealistic measure that will deliver the opposite results of its short-sighted intentions.

To say this measure is not ready for “prime time” is a huge understatement.

Vote NO on #200375.

Very Truly Yours,

Thomas K. Orgain, Sr.

From: [Victoria Stein](#)
To: [Major, Erica \(BOS\)](#)
Subject: No on #200375
Date: Monday, June 1, 2020 10:25:36 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Ms. Major,

We are mom and pop building owners. If just a few tenants stop paying rent for 6 months, we could lose a building.

Large corporate landlords, who would be the only winners if the proposal passes, have been calling everyday.

We are already giving the retail tenants free rent until they can open.

Please vote no on 200375.

Thank you,

Denis Casey
415-987-5840

From: [Sheri Castilyn](#)
To: [Danny Scher](#)
Cc: [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: Re: NO on #200375
Date: Monday, June 1, 2020 10:34:53 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I agree. San Francisco needs to support housing providers, otherwise tenants won't have sufficient rental options. We need more housing, not less! Find a way to support tenants and landlords too.

On Jun 1, 2020, at 10:25 AM, Danny Scher <Danny@dansun.com> wrote:

I am a property owner in San Francisco, both residential and commercial, and have been for over forty years.

I do not believe the City has the legal authority under the Governor's order to permanently restrict a landlord's ability to recover rent due.

- This proposal will make it nearly impossible for small property owners to recoup unpaid rent and places the financial burden of COVID-19 on small mom and pop property owners, like me, who have fixed mortgages, property taxes, employees, and maintenance expenses.
- This proposal, along with the closure of the court system, would allow tenants to live rent free from March 2020 to potentially September 2020 and beyond-- and landlords would have no legal recourse to recoup unpaid rent.
- The Board of Supervisors cannot and should not prohibit housing providers who have been financially impacted by COVID from using California state law to enforce our rights.
- Small owners, like myself, are particularly hard hit by renters who cannot pay.
- I urge you to vote "NO" on #200375.

Danny Scher

SF Property Owner

From: [Deborah Kwan](#)
To: [Fewer, Sandra \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: No on #200375
Date: Monday, June 1, 2020 10:47:18 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors Fewer, Peskin, Preston and Safai and Land Use Committee Clerk Major,

I am writing on behalf of my parents who own two rental properties in District 1 to express our opposition to #200375.

My parents who are the ages of 76 and 86, respectively, depend on the rent collected as their retirement income and to maintain the buildings (both buildings just completed mandatory soft story seismic retrofit) and pay property taxes. They have a mix of longtime and newer tenants, many of whom have lived in their buildings for over 10 years. One of their buildings is mixed use with a vacant restaurant space that will likely remain unfilled in this distressed economic climate. They have been working directly with their residential tenants who are having difficulty paying the rent because of reduced income or job loss as a result of Covid-19.

We oppose #200375 because permanently prohibiting evictions due to unpaid rent would place an untenable financial hardship on small property owners like my parents.

Respectfully,
Deborah Kwan

From: sfapartmentliving@gmail.com
To: [Major, Erica \(BOS\)](#)
Cc: sfapartmentliving@gmail.com
Subject: No on #200375
Date: Monday, June 1, 2020 9:50:57 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good morning Ms Erica Major:

My wife and I own an apartment building in Russian Hill, and while it may be relatively small, it is very significant to us as we are retired and count on the income to live.

We are very concerned about proposal and how it may adversely affect our income by providing unjust incentive for our residents to skip paying their rent and leave us no legal means to remove them.

We firmly believe that the city does not have legal authority under the Governor's order to permanently restrict a landlord's ability to recover rent due.

- We believe that this proposal will make it nearly impossible for small property owners to recoup unpaid rent and places the financial burden of COVID-19 on small mom and pop property owners who have fixed mortgages, property taxes, employees, and maintenance expenses. This proposal, along with the closure of the court system, would allow tenants to live rent free from March 2020 to potentially September and beyond-- and landlords would have no legal recourse to recoup unpaid rent.
- The Board of Supervisors cannot and should not prohibit housing providers who have been financially impacted by COVID from using California state law to enforce our rights.
- **Small owners, like ourselves, are particularly hard hit by renters who cannot pay. If even one renter in a 4 unit building can't pay, the owner is also experiencing a financial hardship.**

Thank you,

Marc and Ann Melso

From: dorgain21@gmail.com
To: [Major, Erica \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Subject: NO on #200375
Date: Monday, June 1, 2020 10:02:14 AM
Attachments: [image001.png](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

We are home owners in District 4 and rent our house out. As you know, the housing in SF is very high. We would not be able to afford the mortgage if the proposal to **permanently** prohibit landlords from using the state law eviction processes for unpaid rent due to COVID-19 were passed. This proposal does not protect lawful landlords and is our violation of our rights.

Diana Orgain

USA Today Bestselling Author



From: [Sarah Quadri](#)
To: [Ronen, Hillary](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: No on #200375
Date: Monday, June 1, 2020 10:02:49 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

I am a building owner who has lived in Ms. Hillary Ronen's district (District 9/Mission) for over 20 years; the building is a three unit rental and I live in one of the units with my elderly mother, who I financially support.

I understand the financial hardships that my neighbors are currently experiencing; due to the Covid-19 pandemic, my work hours have been drastically reduced. So far, my tenants income has not been affected by the pandemic and I am able to keep up the mortgage payments and provide for my mother and myself.

If my tenants' situation changes, I am willing to work with them to help them stay in their homes, but if, at some point, I am not able to recoup rent, I would be forced to sell and leave my home and neighborhood. I would have no choice but to relocate my mother and myself to another part of the country, where housing is more affordable.

- The city does not have legal authority under the Governor's order to permanently restrict a landlord's ability to recover rent due.
- **This proposal will make it nearly impossible for small property owners to recoup unpaid rent and places the financial burden of COVID-19 on small "mom and pop" property owners who have fixed mortgages, property taxes, and maintenance expenses.**
- This proposal, along with the closure of the court system, would allow tenants to live rent free from March 2020 to potentially September and beyond— and landlords would have no legal recourse to recoup unpaid rent.
- The Board of Supervisors cannot and should not prohibit housing providers who have been financially impacted by COVID from using California State law to enforce our rights.
- Small owners are particularly hard hit by renters who cannot pay. If even one renter in a 4 unit building can't pay, the owner is also experiencing a financial hardship.

In the past, when my situation was far different, I forgave the rent for two separate tenants who were in financial need; today, my financial situation is very different and my own retirement may be in jeopardy if this bill passes. Please do not punish building owners, such as myself, for the actions of greedy corporate landlords.

Thank You,
Sarah Quadri
District 9 Resident/Building Owner

From: [Lisa Zahner](#)
To: [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Cc: [Major, Erica \(BOS\)](#)
Subject: NO on #200375
Date: Monday, June 1, 2020 10:10:13 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To Supervisors Peskin, Preson, and Safai -

I am STRONGLY OPPOSED to the proposal to permanently prohibit landlords from using the state law eviction processes for unpaid rent due to COVID-19.

I am a D5 resident, as well as a landlord of a 3-unit building in District 5. The coronavirus pandemic has greatly impacted *everyone*. Small landlords simply cannot afford the cost of maintaining their building, paying the water, garbage and other utilities for tenants, property insurance and property taxes, if tenants are not paying their rent, and if we have no way to recoup unpaid rent due.

Small landlords are not a huge corporation- yet small landlords provide much-needed housing in San Francisco. When tenants don't pay the rent, the families of small landlords *also* experience financial hardship. Banks are not indefinitely waiving mortgage / debt service - so the costs to maintain and keep smaller apartment buildings continue to go up - with no relief in sight.

Please consider this and vote NO on #200375

Sincerely,
Lisa Zahner

--

Lisa Zahner
415.948.5747
[My LinkedIn profile](#)

From: [Tracy Flanagan](#)
To: [Major, Erica \(BOS\)](#)
Subject: Stop Covid related evictions
Date: Monday, June 1, 2020 10:12:47 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please stop Covid 19 related evictions and help all San Francisco by lowering rents.

From: [Evelyn Posamentier](#)
To: [Board of Supervisors, \(BOS\)](#)
Cc: [BOS-Legislative Aides](#)
Subject: Eviction Protection Ordinance, File No. 200375.
Date: Friday, May 29, 2020 2:26:02 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Members of the Board,

I am writing to voice my strong support for Supervisor Preston's Eviction Protection Ordinance, File No. 200375.

Even before COVID-19, renters in San Francisco were struggling to make ends meet. With so many people now out of work, and with no ability to make income in the foreseeable future, I am terrified of what will happen to tenants after the state of emergency expires, and months of back rent become due.

Supervisor Preston's ordinance would stop landlords from evicting tenants who can't pay because of COVID-19 related income loss. It doesn't stop landlords from getting what they may be owed, it just takes eviction off the table. This is the most important step San Francisco can take to stop mass displacement after the state of emergency.

If this pandemic had occurred when I was a child, i would immediately have become homeless. My father owned a small business and we lived in a rent controlled apartment. I can see my brothers and my father boarding up the store front. A refugee family. i can see us at the wrong side of the digital divide.

This is a profound time. We are standing at a precipice.

Let's be the path breakers that we are. We are San Francisco. We look out for each other.

I am urging you to support this important legislation. Thank you.

Evelyn Posamentier
District 8

From: [Jason Kruta](#)
To: [Board of Supervisors, \(BOS\)](#); [FewerStaff \(BOS\)](#)
Subject: Please support Supervisor DPreston's Eviction Protection Ordinance
Date: Thursday, May 28, 2020 7:24:18 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Fewer,

I am writing to voice my strong support for Supervisor Dean Preston's Eviction Protection Ordinance.

Even before COVID-19, working class renters in San Francisco were struggling to make ends meet. With so many people out of work, and with no ability to make income in the foreseeable future, I am terrified of what will happen to tenants after the state of emergency expires, and months of back rent becomes due.

Supervisor Preston's ordinance would stop landlords from evicting tenants who can't pay because of COVID-19 related income loss. This is the most important step San Francisco can take to stop mass displacement of our low-income communities.

I am urging you to support this important legislation. Thank you.

Jason Kruta,
D1 Resident

From: [K.cloudsrest](#)
To: [Board of Supervisors, \(BOS\)](#)
Cc: cloudsrest789@gmail.com; [Dion wong](#); [Kenton Wong](#)
Subject: NO on # 200375
Date: Friday, May 29, 2020 11:19:54 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors, Erica Major:

This proposal will make it nearly impossible for small property owners like myself to recoup unpaid rent and places the financial burden of COVID-19 on small mom & pop property owners who have fixed mortgages, property taxes, employees, and high maintenance expenses, particularly with older buildings like mine.

This proposal, along with the closure of the court system, would allow tenants to live rent free from March 2020 to potentially September and beyond-- and landlords would have no legal recourse to recoup unpaid rent.

The Board of Supervisors cannot and should not prohibit housing providers (who have been financially impacted by COVID) from using California state law to enforce our rights.

I worked hard my entire life to make my rental property a success – for both my family and my tenants. Please help the good landlords of the City succeed so we can continue to provide comfortable, clean, safe and well-maintained housing for people. Please work WITH US NOT AGAINST US. That is all we ask but we need your help to make this work. I just feel that the Board is constantly picking on good landlords like myself. I comply with every single ordinance whether it makes sense or not, and now I feel like I'm fighting a losing battle. Please work with us, not against us. Thank you!

Karen Wong
District 3 constituent & native San Franciscan
Apartment bldg co-owner
mobile #415-992-2489

From: [Sona Avakian](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Protect Renters!
Date: Friday, May 29, 2020 11:25:23 AM

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Dear Supervisor Mar,

I am writing to voice my strong support for Supervisor Dean Preston's Eviction Protection Ordinance.

Even before COVID-19, working class renters in San Francisco were struggling to make ends meet. With so many people out of work, and with no ability to make income in the foreseeable future, I am terrified of what will happen to tenants after the state of emergency expires, and months of back rent becomes due.

Supervisor Preston's ordinance would stop landlords from evicting tenants who can't pay because of COVID-19 related income loss. This is the most important step San Francisco can take to stop mass displacement of our low-income communities.

Please support Supervisor Preston in his continued quest to protect the most vulnerable among us.

I am urging you to support this important legislation. Thank you.

Sona Avakian

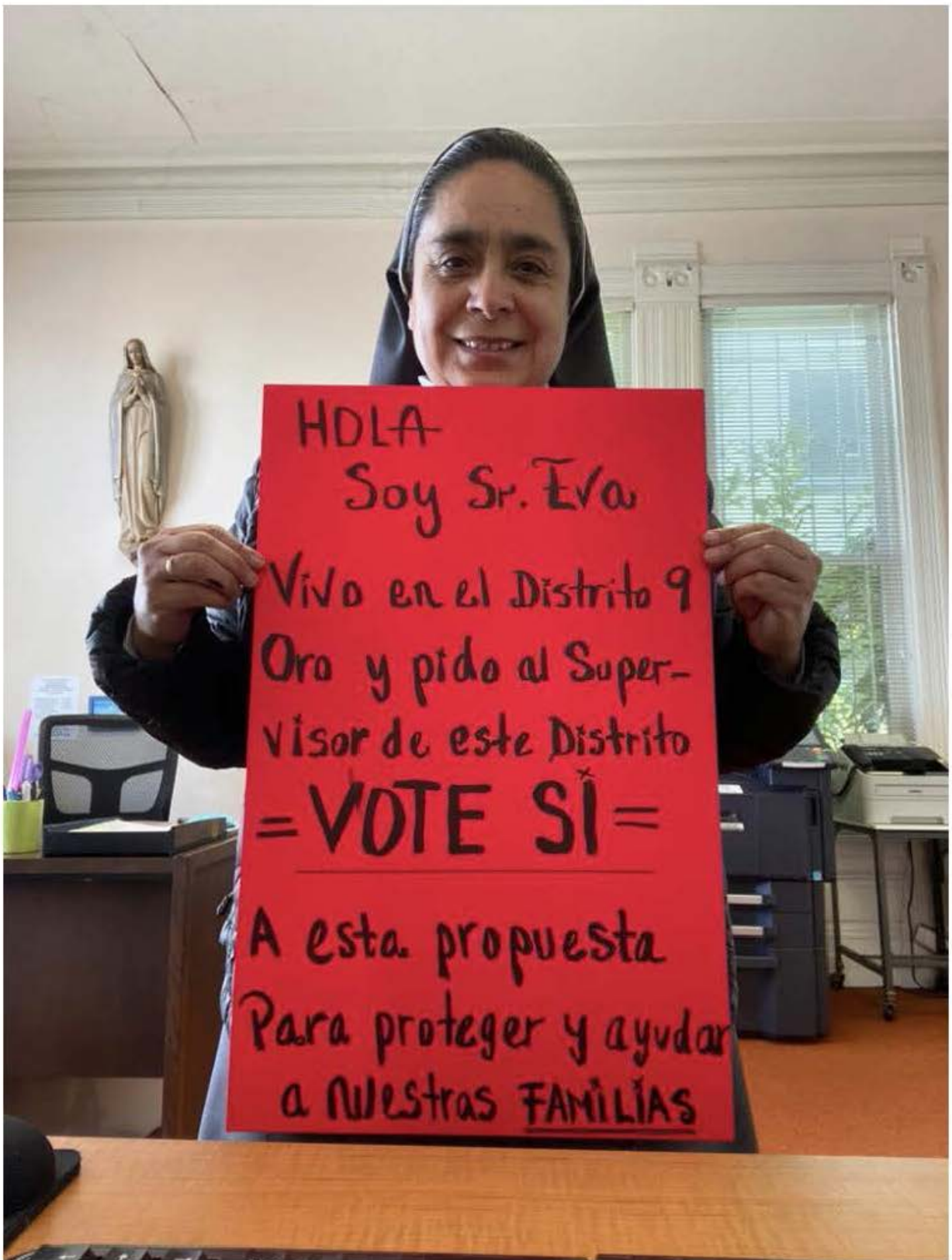
From: [Violeta Roman Mijares](#)
To: [BOS-Supervisors](#)
Subject: VOTE SI !!!!
Date: Friday, May 29, 2020 6:43:42 PM

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From: [Violeta Roman Mijares](#)
To: [BOS-Supervisors](#)
Subject: VOTE SI !!!!
Date: Friday, May 29, 2020 7:27:06 PM

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HDLA

Soy Sr. Eva

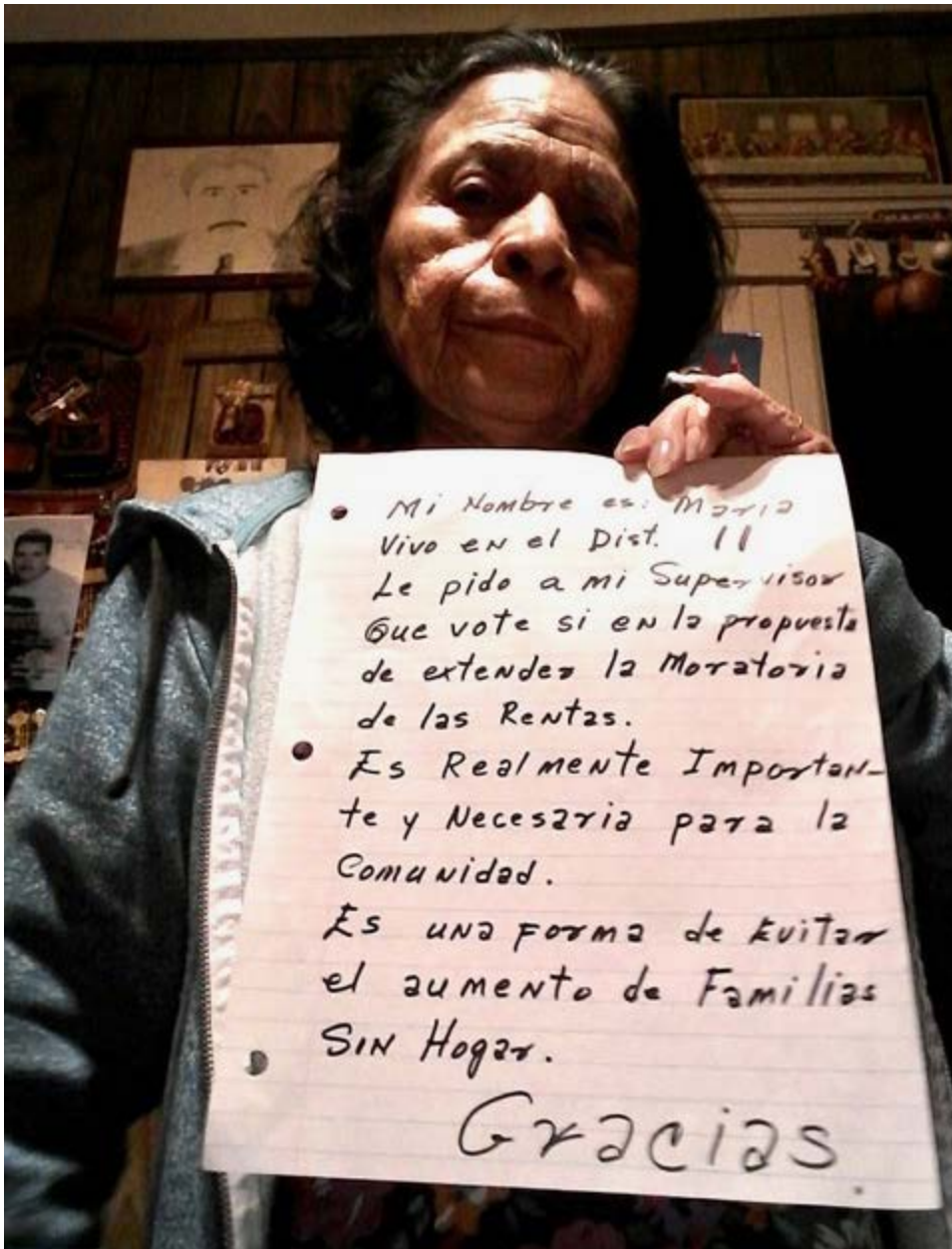
Vivo en el Distrito 9
Oro y pido al Super-
visor de este Distrito

= **VOTE SÍ** =

A esta propuesta
Para proteger y ayudar
a nuestras FAMILIAS

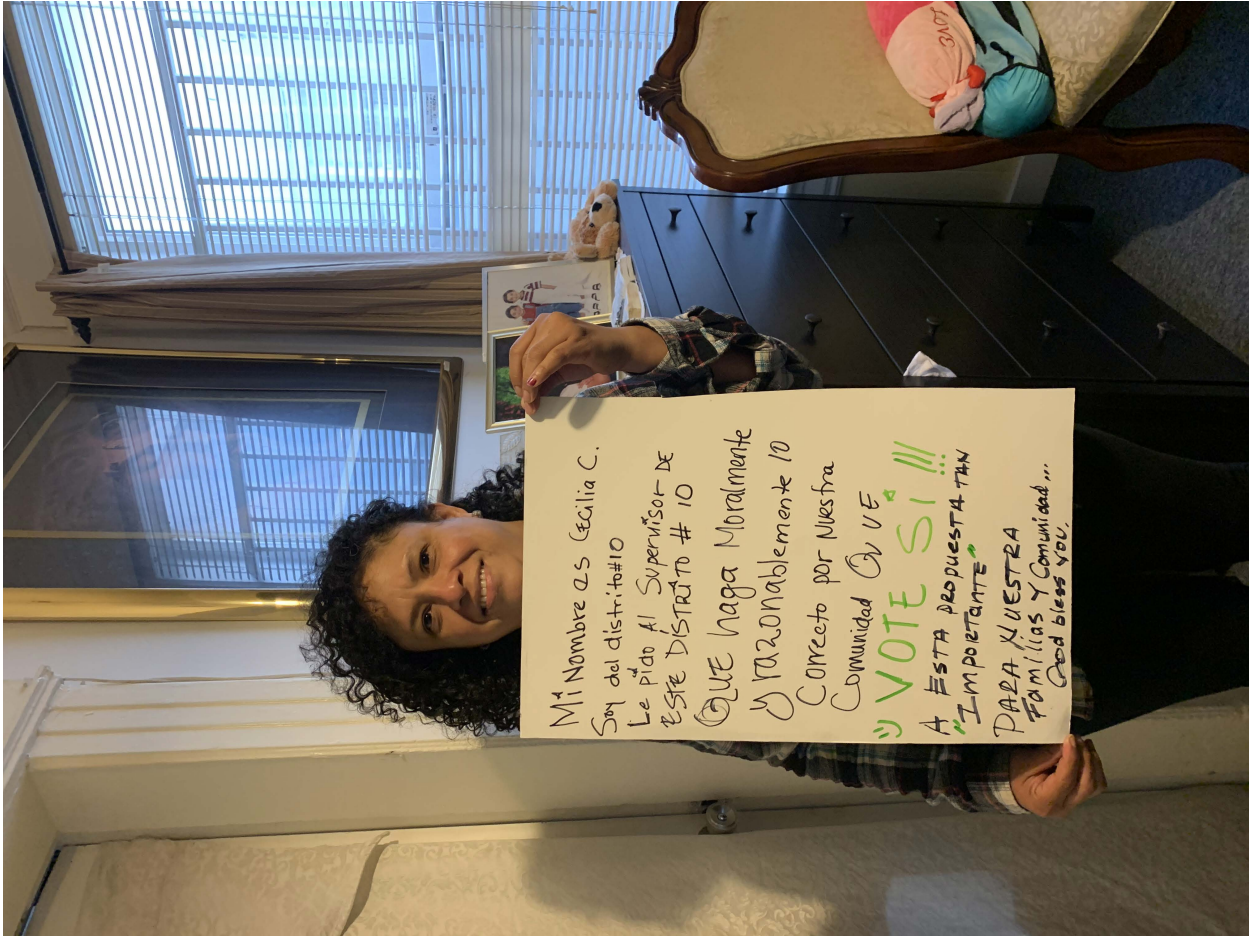
From: [Sara Miles](#)
To: [Safai, Ahsha \(BOS\)](#); [BOS-Supervisors](#)
Subject: please stop evicting people who cant pay rent
Date: Friday, May 29, 2020 7:40:47 PM

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Sara Miles
www.saramiles.net
@SaraMilesSF

mobile: 415-786-4004



Mi Nombre es Cecilia C.
Soy del distrito #10
Le pido al Supervisor de
ESTE DISTRITO # 10
QUE haga Moralmente
y razonablemente lo
Correcto por Nuestra
Comunidad O U E
VOTE SI !!!
A ESTA propuesta TAN
IMPORANTE
PARA NUESTRA
FAMILIAS Y Comunidad ...
God bless you.

From: [Jackie Autry](#)
To: [BOS-Supervisors](#)
Subject: Evictions during Covid-19
Date: Saturday, May 30, 2020 3:46:47 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am opposed to allowing landlords to evict SF residents from their homes due to loss of income related to job loss during Covid-19.

We would only be creating even greater economic insecurity, potentially increasing homeless numbers by taking such action.

SF Board of Supervisors must take a stand to create a plan allowing people to get back on their feet, secure in a job and able to pay rent. We can provide a plan, not simply forgive rent, although that would be great!

Please consider a no vote on allowing landlords to evict renters due to loss of income related to Covid -19.

Sent from my iPhone

From: cari.cymanski
To: [BOS-Supervisors](#)
Subject: Vote YES to prohibit evictions based on COVID-19 debt
Date: Saturday, May 30, 2020 4:01:03 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello San Francisco board of supervisors!

I am an SFUSD teacher and a San Francisco resident writing to you to ask you to protect are most vulnerable tenants in San Francisco from eviction due to COVID-19 debt.

As a third grade teacher at a high potential School, I have seen a student from my class forced from her home in the last 8 weeks. Another 2 of my students are currently facing eviction and have been given dates in June. This is in a class of 18.

Let's please live up to our SF values. Protect our most vulnerable tenants and vote for more eviction protections.

Best Regards,
Cari Cymanski
District 5

From: [Rosie](#)
To: [BOS-Supervisors](#)
Subject: Eviction of renters
Date: Saturday, May 30, 2020 4:17:56 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Have a heart and support "Cancellation of rent for those in need" Thanks. Rosie Gozali District 5

Sent from my iPhone

From: [Clio Tilton](#)
To: [BOS-Supervisors](#)
Subject: Please vote to prohibit evictions
Date: Saturday, May 30, 2020 4:33:25 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

I'm a district 9 citizen and want to encourage you to vote Tuesday to prohibit evictions based on covid debt. It's important that the marginalized, working middle and lower class are able to survive in a time of unprecedented challenge.

Thank you,

Clio

From: [Daggett H Howard](#)
To: [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Cc: [Major, Erica \(BOS\)](#); [Board of Supervisors, \(BOS\)](#)
Subject: No on #200375
Date: Saturday, May 30, 2020 4:36:39 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Members of the Board of Supervisors:

I have been a very small income property owner (3 small properties) in San Francisco for over 40 years. I have read the San Francisco Apartment Association letter to City Attorney Dennis Herrera dated 4/17/20 (attached) very carefully and completely agree with their position on this matter. Please vote No on this ill-advised proposal!

<https://files.constantcontact.com/050f1ec0701/94c545c1-4382-4e73-83da-e66edf73716f.pdf>

Sincerely -
Daggett H. Howard, Jr.

From: [Gary Maestas](#)
To: [BOS-Supervisors](#)
Subject: Eviction in time of Covid pandemic
Date: Saturday, May 30, 2020 5:24:24 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Safai

Please vote Yes on the proposal to stop evictions in this time of worldwide economic uncertainty. We live in the city of Brotherly Love under the umbrella of St. Francis. Let us do our part and show the White House that San Francisco that we know the of Compassion!!

Yours

Gary Maestas
221 Craut

From: [Roberta McLaughlin](#)
To: [BOS-Supervisors](#)
Subject: Sup Norman Yee
Date: Saturday, May 30, 2020 7:13:41 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Prohibit evictions of immigrants and others during this time of Covid19.

Justice for immigrants.

Roberta McLaughlin

520 Noriega

San Francisco

CA94122

Sent from my iPhone

From: [Sarah Illing](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#)
Cc: [Nelson Bonilla](#)
Subject: Sup. Mandelman and all - please vote yes!
Date: Saturday, May 30, 2020 7:26:59 PM
Attachments: [image.png](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors, and especially Supervisor Mandelman (who represents our neighborhood),

We *strongly* urge you to vote YES on the proposal to stop all evictions based on rent not paid during the state of emergency. Thank you to Supervisors Preston, Ronen, Haney, Walton and any others who are leading this effort! Please follow Oakland's lead and show that SF is a sanctuary city.

We can't allow a wave of evictions to follow this pandemic. For many many people, they could barely afford rent to begin with, and it will be very hard to repay their rent debts on top of other debts that continue to accumulate. As our Supervisors, **we hope you are doing everything you possibly can to eradicate homelessness in our City - and allowing evictions based on rent debt would only exacerbate the homelessness crisis.**

When you vote, **please empathize with low-wage immigrant workers who have lost their jobs - truly, what else do you expect people to do if they can't pay rent debt?** I (Sarah) have helped many folks apply and apply for aid, with very little results. I know folks who are risking their health and safety looking for other work, and accepting less-than-minimum wage jobs, just trying to survive. But they also know, **as long as privileged high-wage earners (like us and all the Supervisors) are able to continue working from home, the demand for many of their jobs will not be there.** However, the PEOPLE and their children still will be here, and we all need and deserve shelter to live.

Please read these words from a dear friend in SF below. I beg you to help protect their family and all families from homelessness at all costs. My friend's family includes senior parents, preschool-age children, and multiple people who are recovering from COVID. Due to their immigration status, they cannot access any federal aid. Despite many many attempts, they have been unable to access the state relief with Catholic Charities.

They are also facing pressure from their landlord to sign a forbearance agreement -- and we also ask that your legislation protect the needs of folks who may have been pressured into signing any agreement that would waive their rights.

Supervisor Mandelman and others, can you please commit to voting YES on the proposal to stop all evictions based on rent not paid during the state of emergency??

As our friend says below, we are all human and have the right to live.

Thank you!!!

Nelson Bonilla

Resident of the Castro neighborhood, senior software engineer at Slack

Sarah Illing

Resident of the Castro neighborhood, consultant/project manager at Learning for Action (in the Mission District), volunteer with Faith in Action



(English translation - original in Spanish below) **From friend whose family is recovering from COVID:**

Right now, no one is working. Maybe we'll end up without jobs. Since we don't receive any help from the government, it makes it very difficult for us to pay for the things that have to be paid – rent, food, bills (water, electricity, phone, etc.). We don't have any help from the President. It's awful– we're all human beings. We all have things to pay. They're only helping people who have papers.

May they help people who don't have papers and who have lost their jobs. The majority of people aren't working. *Imagine* –how everyone doesn't have work and the bills keep coming, coming, coming. The debt is getting bigger and bigger. In less than a month, we're going to be short and we can't pay the bills. My parents cleaned a restaurant every day (\$1500/month combined), and my siblings worked in construction and a restaurant.

We're all people... we all have the same rights, more the right to live. May everyone have a place where it is safe.

Ahora nadie está trabajando. Tal vez nos queda sin trabajo. Como no recibimos una ayuda del gobierno. Nos hace muy difícil para los pagos que tienen que hacer - renta, comida, recibos (agua, luz, teléfono, etc.) No tenemos ningún ayuda del presidente. Es feo - somos todos humanos. Todos tenemos cosas que pagar. Solo están ayudando a la gente que tiene papeles.

Que ayuden a las personas que no tienen papeles y que han perdido su empleo. La mayoría no está trabajando. Imagínese - como están todos sin trabajo y los biles siguen siguen siguen. La deuda de uno se está haciendo más grande y más grande. En menos de un mes, vamos a estar corto y no podemos pagar los biles. Mis papas limpiaban un restaurante todos los días (\$1500/mes entre los dos), y mis hermanos en construcción y un restaurante.

Somos todos personas... tenemos todos los mismos derechos, más el derecho a la vida. Que todos puedan tener un hogar donde está seguro.

From: [marla bastien knight](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Support Supervisor Preston's legislation
Date: Sunday, May 31, 2020 1:22:52 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors:

I urge you to support Supervisor Preston's anti-eviction legislation for covid 19 impacted tenants. The last thing we need during this state of emergency and after is to have more people on the street when the next round of infection ensues. Of course, landlords will still be owed the money but payments could be on a different schedule.

Respectfully yours,
Marla Knight

From: [Ted Loewenberg](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: NO on #200375
Date: Sunday, May 31, 2020 4:22:46 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

You are considering this legislation to help tenants who cannot afford to pay rent as a result of COVID-19. There are lots of obvious reasons why this is a terrible way to solve this rent problem. By putting tenants into long term debt to their landlords, it becomes highly problematic that the property owners, also struggling to make ends meet, will ever be paid for months of missed rent. Dean Preston's previous initiative to provide free legal assistance to tenants in litigation means still greater losses to property owners through legal fees that will never be recovered.

This measure simply shifts the financial impact of the renter's job loss to the housing provider, while not providing any relief to that property owner. It is a clear instance of whacking an innocent 3rd party for other people's choices.

What you should be doing instead is to pass legislation that fills the rent gap of the tenant with a loan paid to the landlord. Then the tenant will be obligated to the City to pay back his over-due rent. Keep the housing provider whole rather than infecting them with a severe financial virus of unemployment. Failure to do this will cause still more mom and pop landlords to withdraw their units from the housing market: The problem will be worse for everyone.

Ted Loewenberg

San Francisco

--

tedlsf@sbcglobal.net

"It's got to come from the heart, if you want it to work."

From: [K.cloudsrest](#)
To: [Major, Erica \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [Yan, Calvin \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Cc: cloudsrest789@gmail.com; [Dion wong](#)
Subject: Re: NO on # 200375
Date: Sunday, May 31, 2020 5:55:50 PM
Attachments: [image001.png](#)

Dear Board of Supervisors, Supervisor Peskin, Supervisor Preston, Supervisor Safai, Erica Major,

My revised statement to present before the Land Use Committee on June 1, 2020 at 1:30 pm:

NO on #200375

I am a District 3 constituent and co-owner of a small mixed-use apartment rental building that also serves as my residence; I live alongside our tenants, with whom we have a genuinely trusting, businesslike relationship. I take pride in maintaining my property in above average condition and treating my tenants with the utmost respect by faithfully carrying out the lease agreement and addressing their inquiries and requests in a timely manner. My building is over 100 years old and requires high level maintenance to keep it in good working order and a habitable condition for my family and my tenants. My building serves as MY HOME and that of my tenants. I have both a legal and moral obligation to be a responsible landlord and property manager for each of my tenants. I will never waiver from this obligation.

- The city does not have legal authority under the Governor's order to permanently restrict a landlord's ability to recover rent due.
- This proposal will make it nearly impossible for small property owners to recoup unpaid rent and places the financial burden of COVID-19 on small mom and pop property owners who have fixed mortgages, property taxes, employees, and maintenance expenses.
- This proposal, along with the closure of the court system, would allow tenants to live rent free from March 2020 to potentially September and beyond-- and landlords would have no legal recourse to recoup unpaid rent.
- The Board of Supervisors cannot and should not prohibit housing providers who have been financially impacted by COVID from using California state law to enforce our rights.
- Mom and pop landlords like myself are particularly hit hard by renters who cannot pay. If even one renter in a 4-unit building cannot pay, the owner also experiences a financial hardship. The impact is made worse if the landlord has long-term tenants paying extremely below-market rent. For example, I have several long-term tenants paying well below market rents based on a 30 year tenancy. Their total combined rent would not cover

a major repair job so every dollar that I don't collect impacts my ability to meet both routine and extraordinary monthly expenses. Should there be a major leak in a drain pipe – which would cost thousands of dollars – the cost would exceed the rents collected and I would be operating at a loss. Being a mom and pop landlord has its inherent risks. But, I continue to meet these expenses even if it means paying out of pocket from my meager retirement income. Proposal #200375 only adds to my existing hardship to make ends meet, so, you see, it is not always the tenant who endures financial hardship.

- Many property owners in the City are Asian. I often wonder if proposals like #200375 are intended to be discriminatory as they seem to target small time Asian landlords like myself, who are elderly with disabilities. Some tenants alleging inability to pay due to financial burdens caused by COVID-19 continue to earn high salaries. They probably out-earn me. What are your thoughts on this?

- All I ask is that you put politics and emotions aside and see the situation from BOTH SIDES. Help the good landlords survive and thrive in this City by applying the law fairly so we can meet our expenses and continue to provide fair housing during these challenging times and beyond. Thank you.

Karen Y. Wong
Native San Franciscan

On Fri, May 29, 2020 at 3:13 PM Major, Erica (BOS) <erica.major@sfgov.org> wrote:

Greetings,

Thank you for your testimony, it will be added to the official Board File No. 200375 - Administrative Code - COVID-19 Tenant Protections.

ERICA MAJOR

Assistant Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244 San Francisco, CA 94102

Phone: (415) 554-4441 | Fax: (415) 554-5163

Erica.Major@sfgov.org | www.sfbos.org



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From: K cloudsrest <cloudsrest789@gmail.com>
Sent: Friday, May 29, 2020 11:22 AM
To: Yan, Calvin (BOS) <calvin.yan@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Major, Erica (BOS) <erica.major@sfgov.org>
Subject: Fwd: NO on # 200375

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Vote "NO" on # 200375. Work with the good mom&pop landlords in the City. Thank you!

----- Forwarded message -----

From: K cloudsrest <cloudsrest789@gmail.com>
Date: Fri, May 29, 2020 at 11:19 AM
Subject: NO on # 200375
To: <board.of.supervisors@sfgov.org>
Cc: cloudsrest789@gmail.com <cloudsrest789@gmail.com>, Dion wong <wong_dion@hotmail.com>, Kenton Wong <ahwahnee1927@gmail.com>

Dear Board of Supervisors, Erica Major:

This proposal will make it nearly impossible for small property owners like myself to recoup unpaid rent and places the financial burden of COVID-19 on small mom & pop property owners who have fixed mortgages, property taxes, employees, and

high maintenance expenses, particularly with older buildings like mine.

This proposal, along with the closure of the court system, would allow tenants to live rent free from March 2020 to potentially September and beyond-- and landlords would have no legal recourse to recoup unpaid rent.

The Board of Supervisors cannot and should not prohibit housing providers (who have been financially impacted by COVID) from using California state law to enforce our rights.

I worked hard my entire life to make my rental property a success – for both my family and my tenants. Please help the good landlords of the City succeed so we can continue to provide comfortable, clean, safe and well-maintained housing for people. Please work WITH US NOT AGAINST US. That is all we ask but we need your help to make this work. I just feel that the Board is constantly picking on good landlords like myself. I comply with every single ordinance whether it makes sense or not, and now I feel like I'm fighting a losing battle. Please work with us, not against us. Thank you!

Karen Wong

District 3 constituent & native San Franciscan

Apartment bldg co-owner

mobile #415-992-2489

--

Karen

mobile #415-992-2489

--

Karen

mobile #415-992-2489

From: [Betty Louie](#)
To: [Board of Supervisors, \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Yee, Norman \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Ronen, Hillary](#)
Cc: [Betty Louie](#)
Subject: Revised
Date: Sunday, May 31, 2020 7:34:56 PM
Attachments: [Norman Yee.docx](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Revised

Norman Yee, President
Members of the Board of Supervisors

Revised.
RE: 200375

May 31, 2020

Dear President Yee and Members of the Board of Supervisors,

COVID 19 has unfortunately caused bad behavior by some housing providers. However, the majority of housing providers are working thru the issues with their tenants in an amicable way.

For the BOS to consider an even more drastic piece of legislation that is again targeting Landlords is as if you are kicking people when they are already on their knees. To mandate that tenants can live forever in their units without paying rent or without the tool of eviction makes a bad situation even worse. Landlords are people too who have financial obligations like tenants. Landlords have handcuffs behind their backs, they are on the ground and the City has its knees in their necks while Landlords are pleading that they cannot breathe. You can see what an injustice this is.

Time and time again during the last three months, legislators on the City and State level continue to relentlessly introduce legislation specifically targeting Landlords. How many mandates do you need to pass to protect tenants?? You have enough. Let those existing mandates play themselves out. Stop piling more mandates on weary Landlords. We can't get a break from lawmakers. Instead, go specifically after the bad Landlords. Stop penalizing the good housing providers.

We have to keep spending more money that we don't have to bring bad tenants to court. Yes, there are also bad tenants out there.

Your thinking is still inside the bureaucratic box. When are you going to come up with unique solutions to address age old problems. Your thinking is unilateral. Why can't you level the playing field?

I respectfully request that you drop 200375 from consideration.

Sincerely,

Betty Louie
667 Grant Ave.
San Francisco, CA 94108
Email: bjlouie@att.net

From: sherwin@gmail.com
To: [Major, Erica \(BOS\): Board of Supervisors, \(BOS\)](#)
Subject: Re: 200375
Date: Sunday, May 31, 2020 10:14:27 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Catherine Chin

May 31, 2020

San Francisco board of supervisors
board.of.supervisors@sfgov.org

Dear Land Use Committee and Supervisors Mandelman, Dean Preston, Hillary Ronen, , Matt Haney,

I have read the most recent proposed ordinance regarding Covid-19 pandemic relief for tenants.

This pro-tenant legislation is admirable, benevolent, conscientious but is also grossly unfair and probably illegal.

I'm a San Francisco native and own a multi-unit building that I live in one unit in District 8. I've worked during all my years in San Francisco and have renters that are under rent control. Being a small mom and pop landlord with only social security and rental income that I use to live on. Having to give up the rent for an unknown period is very concerning.

I pride myself on providing fair housing. The tenants are all long term tenants and the rent is used to pay for shared water and garbage. I have to continue to pay a mortgage, property tax, and building upkeep/maintenance in a 100+ year old building also.

So, the long and the short is this, if the proposed legislation is passed, building owners in San Francisco will be forced to subsidize ALL the housing needs for tenants in this City, for the foreseeable future, (as nobody knows how long this pandemic will last.)

Thank you,
Catherine Chin
sherwin@gmail.com/firecat16@yahoo.com

From: [Mary Bhojwani](#)
To: [Peskin, Aaron \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#)
Cc: [Board of Supervisors \(BOS\)](#); [Calvillo, Angela \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Marstaff \(BOS\)](#); [Haneystaff \(BOS\)](#); [Yee, Norman \(BOS\)](#); [MandelmanStaff \(BOS\)](#); [RonenStaff \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Breed, Mayor London \(MYR\)](#); [Cityattorney](#); [PRADHAN, MANU \(CAT\)](#); [Andrew Zacks](#); [Emily Lowther Brough](#); [Emma Heinichen](#)
Subject: Submission for Today's 1:30 PM Land Use Committee Meeting re: File. No.: 200375
Date: Monday, June 1, 2020 9:26:11 AM
Attachments: [2020.06.01 Submission to Land Use Committee re File. No. 200375.pdf](#)
Importance: High

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors Land Use Committee and Clerk of the Committee:

We are submitting the attached letter on behalf of the San Francisco Apartment Association, Small Property Owners of San Francisco, Coalition for Better Housing and the San Francisco Association of Realtors regarding File. No.: 200375 - Administrative Code COVID-19 Tenant Protections, listed as Item 2 on today's Regular Agenda. Thank you for circulating copies to the Board Members and adding our submission to the official record.

Kindly confirm receipt of this submission at your earliest opportunity.

Thank you.

Regards,
Mary

Mary Bhojwani
Assistant to Andrew M. Zacks
Zacks, Freedman & Patterson, PC
235 Montgomery Street, Suite 400
San Francisco, CA 94104
Telephone: (415) 956-8100
Facsimile: (415) 288-9755
www.zfplaw.com

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235 Montgomery Street, Suite 400
San Francisco, California 94104
Telephone (415) 956-8100
Facsimile (415) 288-9755
www.zfplaw.com

June 1, 2020

Honorable Aaron Peskin
Honorable Ahsha Safai
Honorable Dean Preston
Land Use Committee of the
San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

VIA EMAIL

Re: Proposed San Francisco Ordinance No. 200375

Dear San Francisco Board of Supervisors Land Use Committee:

We write on behalf of the San Francisco Apartment Association, Small Property Owners of San Francisco, Coalition for Better Housing, the San Francisco Association of Realtors, and numerous individual housing providers throughout the City and County of San Francisco. We understand that proposed San Francisco Ordinance No. 200375 (the “Ordinance”) will be heard before the San Francisco Land Use and Transportation Committee today, June 1, 2020. The Ordinance would restrict residential landlords from *ever* accessing unlawful detainer procedures for tenants’ failure to pay their rent during a specified time period for COVID-19 related reasons. But San Francisco has no power to permanently override state law in this way. Thus, the Ordinance violates constitutional law, state law, and Governor Newsom’s Executive Order temporarily suspending unlawful detainer procedures. And, ironically, the Ordinance would ultimately lead to more evictions.

First, San Francisco (the “City”) does not have the legal authority to permanently deprive landlords of their unlawful detainer (“UD”) rights for any term of non-payment. Although the Ordinance purports to fit within the power delegated to localities by the Governor’s March 16, 2020 Executive Order N-28-20 (the “Order”), the Order does not—and could not—allow localities to undercut the state UD procedure after the COVID-19 emergency ends.

The Order derives its apparent authority from the California Emergency Services Act (“ESA”). The ESA permits the Governor, during a state of emergency, to “**suspend** any regulatory statute, or statute prescribing the procedure for conduct of state business, or the orders, rules, or regulations of any state agency . . . where the Governor determines and declares

that strict compliance with any statute, order, rule, or regulation would in any way prevent, hinder, or delay the mitigation of the effects of the emergency.” (Gov. Code § 8571, *emph. add.*) The Governor’s orders under the ESA “shall have the force and effect of law.” (Gov. Code § 8567(a).) Orders under the ESA, however, “**shall be of no further force or effect**” after the state of emergency is terminated. (Gov. Code § 8567(b), *emph. add.*)

Consistent with the limited lifespan of all orders under the ESA, the Order here permits a locality to *temporarily* limit evictions for non-payment of rent due to the COVID-19 crisis. In pertinent part, the Order provides:

1) The time limitation set forth in Penal Code section 396, subdivision (f), concerning protections against residential eviction, is hereby waived. Those protections shall be in effect **through May 31, 2020**.

....

2) Any provision of state law that would preempt or otherwise restrict a local government’s exercise of its police power to impose substantive limitations on . . . evictions . . . is **hereby suspended** to the extent that it would preempt or otherwise restrict such exercise [T]he statutory cause of action for unlawful detainer, Code of Civil Procedure section 1161 et seq., and any other statutory cause of action that could be used to evict or otherwise eject a residential . . . tenant . . . **is suspended** only as applied to any tenancy . . . to which a local government has imposed a limitation on eviction pursuant to this paragraph 2, and only to the extent of the limitation imposed by the local government. **Nothing in this Order shall** relieve a tenant of the obligation to pay rent, nor **restrict a landlord’s ability to recover rent due**.

The protections in this paragraph 2 **shall be in effect through May 31, 2020, unless extended**.

(Order, *emphasis added*.) On May 29, 2020, the expiration date in paragraphs 1 & 2 of the Order was extended for 60 days, to July 30, 2020. The Order therefore allows municipalities to suspend access to unlawful detainer procedures *only* for a four-month period (unless extended). Indeed, it specifically provides that it does *not* “restrict a landlord’s ability to recover rent due.”

In contrast to the Order, the Ordinance provides that a landlord is *permanently* deprived of the remedy of UD action to obtain unpaid rent, if the rent was unpaid for a COVID-19 related reason during the time the Order is in place—from March 16, 2020 to July 30, 2020, unless

extended (the “COVID-19 Period”). But that permanent deprivation necessarily falls outside the scope of the ESA and the Order under the ESA since those authorities permits only the *temporary* suspension of state law. (See *In re Juan C.* (1994) 28 Cal.App.4th 1093, 1101 [ruling that a local curfew imposed under the ESA was constitutional because it was imposed “only so long as an emergency exists”].) Further, the Order unambiguously states: **“Nothing in this Order shall . . . restrict a landlord’s ability to recover rent due.”**

Nor does the City have authority to enact the Ordinance under its police powers. An exercise of a city’s police powers cannot conflict with state law. (Cal. Const. Art. XI, § 7.) The specific purpose of a UD action is to provide landlords a summary proceeding for recovery of possession of their properties based (in part) on any unpaid rent. (*Birkenfeld v. City of Berkeley* (1976) 17 Cal.3d 129, 149-151.) Additional procedural requirements imposed by local government that are not found in the UD statutes raise impermissible procedural barriers between landlords and that judicial proceeding. (*Ibid.*) Here, the City would not only be imposing an additional procedural “requirement” on the UD process, it would be permanently depriving landlords of that process to recover unpaid rents and possession of their property in certain circumstances. The Ordinance is thus inimical to the purpose of the UD statutes. Indeed, given that the Ordinance purportedly amends the San Francisco Rent Ordinance, if a landlord attempts to recover such rents through the filing of a UD action, the Ordinance subjects the landlord to civil and criminal penalties under existing law. The UD statutes thus preempt the Ordinance.

The City’s finding that the Ordinance is permissible and/or consistent with the California Tenant Protection Act of 2019 (“AB 1482”) does not save the Ordinance from preemption. First, while AB 1482 permits local government to enact “more protective” eviction laws, it expressly provides that any such protections must not be “prohibited by any other provision of law.” (Civ. Code § 1946.2(g)(1)(B)(ii).) Indeed, compliance with one state law does **not** authorize conflict with another. (*San Diego Gas & Electric Co. v. City of Carlsbad* (1998) 64 Cal.App.4th 785, 804.)

Second, the Ordinance violates due process and results in an unconstitutional taking of private property without compensation. The Ordinance devalue landlords’ properties by not permitting landlords to use the summary UD procedure to recover possession of their properties despite continued nonpayment of rents. This necessarily means that landlords will be required to invoke the more arduous civil debt recovery process to attempt to remediate the nonpayment issue, even though landlords did not cause the problem to which tenants may now be exposed. (*Levin v. City and County of San Francisco* (2014) 71 F.Supp.3d 1072; *Nollan v. California Coastal Com’n* (1987) 483 U.S. 825; *Dolan v. City of Tigard* (1994) 512 U.S. 374.) Further, as

enacted and drafted, the Ordinance will unlawfully force property owners to accept occupants on their property without compensation. (See, *Loretto v. Teleprompter Manhattan CATV Corp.* (1982) 458 U.S. 419, 435.)

Finally, the Ordinance ironically would likely *increase* the number of evictions after the COVID-19 crisis ends. The Ordinance would lull tenants into a false sense of security that they could ignore their contractual obligations during the course of the COVID-19 Period, which is currently four months. And when the courts ultimately determine that the Ordinance is illegal and void, landlords will exercise their UD rights—but in reliance on the Ordinance, tenants will not have set funds aside to repay their past-due rent.

The Ordinance is a patently illegal regulation that exposes the City to significant liability and will ultimately bring harm to both landlords and tenants. The San Francisco Board of Supervisors should reject and/or amend the Ordinance to eliminate the legal deficiencies outlined herein.

Very truly yours,

ZACKS, FREEDMAN & PATTERSON, PC

/s/ Andrew M. Zacks

Andrew M. Zacks

cc San Francisco Supervisors Clerk
Land Use Committee Clerk
President Norman Yee
Supervisor Sandra Lee Fewer
Supervisor Catherine Stefani
Supervisor Gordon Mar
Supervisor Matt Haney
Supervisor Rafael Mandelman
Supervisor Hillary Ronen
Supervisor Shamann Walton
Mayor London Breed
City Attorney Dennis Herrera
Deputy City Attorney Manu Pradhan

From: [anastasia Yovanopoulos](#)
To: [Yee, Norman \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)
Cc: [Smeallie, Kyle \(BOS\)](#)
Subject: Support Preston's eviction protection legislation
Date: Thursday, May 28, 2020 5:14:12 PM
Attachments: [Eviction Protection Ordinance - One Pager.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To: Rafael Mandelman <rafael.mandelman@sfgov.org>
Sent: Sunday, May 24, 2020, 02:53:15 PM PDT
Subject: Support Preston's eviction protection legislation

Dear Rafael Mandelman,

I'm sorry to intrude over your holiday weekend. As June 1st approaches there's an urgent problem I need to bring up that renters in District #8, throughout our city and the State are facing since Governor Newsom issued a statewide "stay at home order " to prevent the rapid spread of COVID-19 and protect public health.

As eviction moratoriums are lifted in a matter of weeks, millions of tenants will face further housing insecurity and possible homelessness because of inadequate tenant protections. FYI: Over 3 million Californians have filed for unemployment, and one out of three renters nationwide are unable to pay their rent.

I am asking you to support Supervisor Dean Preston's legislation to protect tenants from eviction for non-payment of rent due to COVID-19. There's a (pdf.) that will explain the gist of the legislation for you. San Francisco tenants need your help to keep us housed, Rafael.

Similar legislation has already been passed by Oakland, Solano, Alameda and L.A. counties. Your vote to support of Dean Preston's legislation at Board of Supervisors on June 2nd, would be gratefully appreciated.

Sincerely,
Anastasia Yovanopoulos
District #8 tenant, SF Tenants Union member

Tenant Protection Ordinance

Taking Eviction off the Table for COVID Rent Debt

Overview

The City and County of San Francisco acted swiftly to stop evictions during the COVID-19 state of emergency. The question remains what will happen to tenants, many of whom were already struggling before the pandemic, after the emergency is over.

Supervisor Dean Preston's proposal (File No. [200375](#)) seeks to provide permanent eviction protections for tenants unable to pay rent during this state of emergency. The intent of the ordinance is to permanently ban eviction for nonpayment of rent accrued due to the COVID-19 state of emergency. In addition, the legislation prohibits late fees, penalties, interest, or other charges to tenants related to delayed rent, and modifies habitual late payment of rent eviction rules to make clear that delayed rent cannot be used as a ground for eviction.

Details

The legislation prohibits eviction for nonpayment of rent where the rent payments become due during the State of Emergency, and nonpayment (i) arose out of a substantial decrease in household income or substantial out-of-pocket expenses; (ii) that was caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19; and (iii) is documented.

- No deadline for a tenant to raise this defense to eviction. It can be raised at the time the tenant doesn't pay, months later, or in the event of an eviction lawsuit.
- No requirement of any specific type of documentation to show an inability to pay due to COVID-19. Documentation is defined broadly and third-party documentation such as a letter from an employer is not required.

The legislation does not waive rent obligations that accrue during the state of emergency. Instead, the obligations would become akin to consumer debt, which a landlord could elect to pursue in small claims court.

Why it is important

As advocates and elected leaders pursue rent and mortgage cancellation measures throughout the country, this legislation serves as a crucial backstop to make sure that, regardless of the outcome of cancellation efforts, San Francisco tenants are guaranteed to never face eviction for COVID-19 related rent debt.

From: [Leticia Arce](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Eviction Protection Ordinance, File No. 200375
Date: Monday, June 1, 2020 10:37:05 AM
Attachments: [CJJC letter SF TPO 2020.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Causa Justa :: Just Cause is in strong support of Supervisor Preston's Eviction Protection Ordinance, File No. 200375. We urge you to vote yes and support the passing of this crucial legislation.

We have had hundreds of tenants call our tenant hotline and have spoken to many of our members about not being able to pay rent given impacts of the COVID-19 pandemic. Although tenants are aware of the eviction protections in place, many are fearful of invoking those protections fearing an eviction in the long-term if they're unable to pay back the rent. Many people are scraping funds together to make rent, borrowing money from family members, applying for rental assistance, and risking their health and lives by going out to work to pay the rent.

In the middle of a pandemic, it is urgent that we pass stronger eviction protections to help people stay healthy and in their homes. Voting yes on this legislation would do just that. We urge you to vote yes and support the immediate passing of the Eviction Protection Ordinance.

Sincerely,

--

Leticia Arce
SF Housing, Land, & Development Lead Organizer
Causa Justa :: Just Cause
415-487-9203 Ext. 209
Full contact information at www.cjic.org

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info@cjjc.org | www.cjjc.org

MISSION DISTRICT, SF 2301 Mission St #201, San Francisco, CA 94110 | tel 415.487.9203 f 415.487.9022
BAYVIEW DISTRICT, SF 2145 Keith Street, San Francisco, CA 94124 | tel 415.864.8372 f 415.864.8373
OAKLAND P.O. Box 7737, Oakland, CA 94601 | tel 510.763.5877 f 510.763.5824

June 1, 2020

RE: Support for Eviction Protection Ordinance

Dear Board of Supervisors,

Causa Justa :: Just Cause is in strong support of Supervisor Preston's Eviction Protection Ordinance, File No. 200375. We urge you to vote yes and support the passing of this crucial legislation.

We have had hundreds of tenants call our tenant hotline and have spoken to many of our members about not being able to pay rent given impacts of the COVID-19 pandemic. Although tenants are aware of the eviction protections in place, many are fearful of invoking those protections fearing an eviction in the long-term if they're unable to pay back the rent. Many people are scraping funds together to make rent, borrowing money from family members, applying for rental assistance, and risking their health and lives by going out to work to pay the rent.

In the middle of a pandemic, it is urgent that we pass stronger eviction protections to help people stay healthy and in their homes. Voting yes on this legislation would do just that. We urge you to vote yes and support the immediate passing of the Eviction Protection Ordinance.

Sincerely,

Leticia Arce
SF Housing, Land, & Development Lead Organizer
Causa Justa :: Just Cause
leticia@cjjc.org

From: chrispetrini2000@gmail.com
To: [Major, Erica \(BOS\)](#); [Stefani, Catherine \(BOS\)](#)
Cc: charley@sfaa.org; [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Subject: RE: NO on #200375 (San Francisco Fascist leadership)
Date: Monday, June 1, 2020 10:05:27 PM

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I am a constituent of District 2. I both live and own an intimate rental property in the district. I have one resident how says he does "not have to pay his rent" and two more residents move out of area since this pandemic started. This means 3 of the 6 units are not generating income. I am impacted too and I urge you vote NO on #200375 for the following reasons:

1 **We are a nation of rules and laws.** Where does the City have legal authority to permanently restrict a landlord from collecting rent. The lease agreement is already 17 pages plus another 20 pages of disclosure/attachments with the tenant! Now you want to void the a full executed LEASE AGREEMENT. If a tenant has difficulty in paying their rent because of this pandemic, it is up to the landlord and tenant to work out an agreement whereby the **government provides reasonable and verifiable guidelines proving hardship under penalty of perjury or they should demonstrate honor and MOVE OUT!**

2. Permanently forgiving a tenant's rent puts undue and unnecessary burden on the landlord. These burdens are only increased every year with a never ending list new "life safety" mandatory upgrades (which I do to protect my own legal liability).

3. I have been impacted by COVID 19 too! I am trying my best to pay all my bills, because I know not paying them will have implications to others.

4. Even with the current executive order temporarily limiting evictions because of COVID-19, there is no clear spelling out the verifiable evidence a tenant is required to present to the landlord AND show how they are impacted by COVID 19 (it is just a vague reference - nothing that can be audited). I suspect (I KNOW OF ONE) many tenants are merely taking advantage of the "freebie" to deny, defer, deflect and their payments. Abatement of rent is beyond any sense of fairness, decency, self-respect or normalcy. With your passing this ordinance PERMANENTLY forgiving the rent, a tenant gets the freebie and is given free housing. I view this a public taking and essentially a forced "gift" from the landlord to the tenant without any proof of NEED!

5. I can't see how there wouldn't be a court case challenging this emanant domain if you pass this fascist requirement. San Francisco can ill afford to spend whatever money it may have defending this ridiculous RULE (no a legal law).

I DEMAND that you vote "NO" on #200375 and show some intelligence and integrity. **Do not let your arrogance exceed your stupidity.....AGAIN!!!!!!**

Fatigue, frustrated, and furious.

Chris Petrini

From: [Victoria Stein](#)
To: [Major, Erica \(BOS\)](#)
Subject: Re: No on #200375
Date: Monday, June 1, 2020 8:19:45 PM

Than you very much-

On Mon, Jun 1, 2020 at 3:10 PM Major, Erica (BOS) <erica.major@sfgov.org> wrote:
Greetings,

Confirming your matter will be made part of the official Board File No. 200375.

ERICA MAJOR

Assistant Clerk

Board of Supervisors

[1 Dr. Carlton B. Goodlett Place](#), City Hall, Room 244 San Francisco, CA 94102

Phone: (415) 554-4441 | Fax: (415) 554-5163

Erica.Major@sfgov.org | www.sfbos.org

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-----Original Message-----

From: Victoria Stein <steincaseyinc@gmail.com>

Sent: Monday, June 1, 2020 10:26 AM

To: Major, Erica (BOS) <erica.major@sfgov.org>

Subject: No on #200375

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Ms. Major,

We are mom and pop building owners. If just a few tenants stop paying rent for 6 months, we could lose a building.

Large corporate landlords, who would be the only winners if the proposal passes, have been calling everyday.

We are already giving the retail tenants free rent until they can open.

Please vote no on 200375.

Thank you,

Denis Casey
415-987-5840

From: [Julia Dietz](#)
To: [Major, Erica \(BOS\)](#)
Subject: COVID-19 Tenant Protection Ordinance, File No. 200375 (rescheduled for June 8 2020, Land Use)
Date: Monday, June 1, 2020 5:43:58 PM
Attachments: [2020.6.1 tenant protection ordinance comment Julia Dietz DSCS.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Re: COVID-19 Tenant Protection Ordinance, File No. 200375

Dear Supervisors,

I am an attorney with the Deportation Defense and Legal Advocacy Program at Dolores Street Community Services, a non-profit in the Mission District. I work with San Francisco families throughout the city who are facing deportation. Our clients are in desperate housing situations, and additional tenant protections are urgently needed to prevent massive and permanent displacement.

Nearly all of my clients are in extremely precarious housing situations during this public health crisis, especially those who are subtenants, SRO tenants, or living in boarding houses. I am hearing from families who are experiencing intense harassment because they can't pay rent. More often than not, my clients pay rent to someone they share space with – and that landlord or building manager is banging on their door, terrifying their kids, making life impossible and in some cases kicking tenants and their belongings to the sidewalk. Evictions may be technically illegal right now, but they are happening. I am especially concerned during this pandemic for my clients who are subtenants, which leaves them in a legal grey area with very little recourse as a practical matter.

Many of my clients have no money coming in, while others are experiencing road blocks and delays as they try to access economic relief they are entitled to. Any limited savings they once had is gone. Even once they get back to work, it is impossible to imagine how tenants will pay back months of unpaid rent within six months.

I am seeing people choose to pay rent rather than hold on to that money so they can buy food. Those are the choices people are making, because right now San Francisco's renter protections have a time limit. When time is up for paying back rent, we will have an eviction explosion. Passing this legislation is absolutely necessary if we want to make tenant protections real, and I urge the Board of Supervisors to pass Supervisor Preston's Tenant Protection Ordinance (File No. 200375) and also consider what more can be done to protect the most vulnerable renters in our community.

Sincerely,

Julia Dietz

Attorney

Deportation Defense & Legal Advocacy Program

Dolores Street Community Services

938 Valencia St., San Francisco, CA 94110

From: [Jeantelle Laberinto](#)
To: [Major, Erica \(BOS\)](#)
Subject: YES - #200375
Date: Monday, June 1, 2020 3:45:04 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Major and the Land Use & Transportation Committee,

Hello, my name is Jeantelle Laberinto and my family rents a home in District 11.

I write this letter in support of Supervisors Preston, Ronen, Haney, and Walton's ordinance -- FILE #200375, which would amend the Administrative Code to prohibit landlords from evicting residential tenants for non-payment of rent that was not paid due to the COVID pandemic and prohibit landlords from imposing late fees, penalties, or similar charges on such tenants.

COVID-19 has only exacerbated many of the existing issues for San Franciscans who have been struggling to make ends meet and stay in their homes. With so many people unemployed and unable to make stable income now and in the foreseeable future, so many of us are worried about what will happen to tenants after the state of emergency expires and months of back rent become due. Housing stability is critical for everyone's health, and the need for bold action to protect and stabilize renters is necessary right now in the midst of this epidemic.

District 11 has the highest number of single-family homes in San Francisco and census data shows that it is 64% owner occupied. But what we know that is hidden in the data is the proliferation of unwarranted, secondary rental units where very low to extremely low income immigrant families of Asian and Latino descent live in shared housing arrangements. An Asian Law Caucus survey found that 70% of Excelsior residents were renters and that half of all tenants lived in secondary units. Of these households, 87% were very low income and 57% were extremely low income.

The need for bold preventative legislation to prevent mass evictions on renters whose rent debt is amassing through no fault of their own is urgent. With little relief from the federal government and unprecedented levels of unemployment, tenants need all the support they can get to stabilize them in place and prevent any further loss.

As written, Supervisor Preston's ordinance would stop landlords from evicting tenants who can't pay because of COVID-19 related income loss. It doesn't stop landlords from getting what they may be owed, it just takes eviction off the table. This is the most important step San Francisco can take to stop mass displacement after the state of emergency.

Thank you,
Jeantelle Laberinto

From: [Tina Jordan](#)
To: [Major, Erica \(BOS\)](#)
Subject: 200375
Date: Monday, June 1, 2020 4:31:52 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good afternoon,

While I appreciate that this is a hard time for all people with Covid 19 OVER REGULATION, I find it so amusing that once again the San Francisco supervisors wish to adopt further communist regulations.

I do not have a 401K, a City pension, my living expenses are funded by my single rental building. I also have a mortgage, property tax, insurance and maintenance. Do I assume that I no longer have to pay these items either? I overheard a renter say "I would never want to own in SF, we have a luxury home in Carmel and we invest in the stock market"

Again this is egregious and baseless. Perhaps you can guarantee my income another way?

Also talk to the Banks who will foreclose if I don't pay my mortgage and what about the property taxes that pay your wages? You are facing your biggest budget deficit and you want to further penalize legitimate, hard working, sane, tax paying residents and business owners.

Annoyed and ready to move,

Kathleen Jordan,

Razor LLC

From: [Mary Lavrich](#)
To: [Major, Erica \(BOS\)](#)
Subject: VOTE NO on #200375
Date: Friday, May 29, 2020 3:58:05 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Erica Major,

I urge you desperately to **VOTE NO on #200375** the proposed amendments to the **Administrative Code**. I oppose the order which would permanently prohibit landlords from using the state law eviction processes for unpaid rent due to COVID-19. I own and manage rent controlled residential property in Twin Peaks. The rental business is my livelihood and my income. I manage the property myself to stay involved and actively engaged with my tenants. I consider my tenants like family and have been working with many of my tenants who are facing financial struggles at this time. As a contributing member of our community, I beg you not to take away my ability to earn income on my investments. I depend on the income from my renters to pay my taxes, mortgages, and pay my 1 employee. I keep my properties safe and clean. Having just gone through and successfully completed the MANDATED SIESMIC RETROFITS I am still struggling to recover financially. I did it willingly to make sure my buildings were safe but to add the burden on top of that of not being able to collect rents is tragic and may mean the end of my business. Please **do not take away my ability to collect rents**.

Sincerely,

Mary Lavrich

From: [Michael Darnaud](#)
To: [Fewer, Sandra \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Major, Erica \(BOS\)](#); [Ronen, Hillary](#); [Stefani, Catherine \(BOS\)](#)
Subject: NO on #200375
Date: Tuesday, June 2, 2020 11:25:09 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

Why does San Francisco want to always penalize small owners? I am essentially retired, own one rental property and it constitutes the bulk of my revenue. Why should I delay or reduce the amount of rent I get, when my renter is a highly paid engineer, working at a company funded by one of the largest VC firms? I have a mortgage to pay every month, he doesn't!

Your proposal will make it nearly impossible for small property owners to recoup unpaid rent and places the financial burden of COVID-19 on small mom property owners who have fixed mortgages, property taxes, employees, and maintenance expenses.

Your proposal, along with the closure of the court system, would allow tenants to live rent free from March 2019 to potentially September and beyond-- and landlords would have no legal recourse to recoup unpaid rent.

The Board of Supervisors cannot and should not prohibit housing providers who have been financially impacted by COVID from using California state law to enforce our rights.

Please stop thinking that owners are evil! We are a key percentage of your voters!

Michael Darnaud

From: [Barbara Berman](#)
To: [BOS-Supervisors; Fewer, Sandra \(BOS\)](#)
Subject: Covid related evictions
Date: Tuesday, June 2, 2020 8:56:36 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My husband and I are longtime Richmond homeowners. I urge you to extend rent relief to people who have fallen behind due to Corona virus. This is something they could not control and keeping them safe in their homes is an ethical decision good for the neighborhood and the city.

Thank you.

Barbara Berman
Inner Richmond

From: [Thilini Chandrasekera](#)
To: [BOS-Supervisors](#); [Yee, Norman \(BOS\)](#)
Subject: Prohibit COVID-19 Evictions
Date: Sunday, May 31, 2020 2:46:43 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear President Yee and the Board of Supervisors:

My name is Thilini Chandrasekera, and I am a District 7 resident. I write to add my voice to the call for the Board to vote on Tuesday to prohibit evictions based on hardship resulting from COVID-19. It would be an unthinkable cruelty to add the burden of homelessness -- and this city knows better than perhaps any other American city how difficult it is to recover from it -- to the economic and emotional stress that tenants already face. Please vote to **keep** immigrants, working families, seniors, and people of color in their homes.

Best regards,
Thilini Chandrasekera

From: [Dean Schaffer](#)
To: [Yee, Norman \(BOS\)](#)
Cc: [BOS-Supervisors](#)
Subject: Prohibit evictions based on COVID-19 debt
Date: Sunday, May 31, 2020 3:05:11 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Supervisor Yee,

I live in your district at 550 Kirkham St, San Francisco, CA 94122. Please vote in favor of upcoming legislation protecting San Franciscans from eviction due to COVID-19 debt. This critical protection will help keep immigrants, working families, and people of color in their homes at a time when they are most vulnerable.

Thank you,

Dean Schaffer

From: [Kathleen Murray](#)
To: [Yee, Norman \(BOS\); BOS-Supervisors](#)
Subject: Please Vote to Protect COVID-19 Debtors from eviction
Date: Sunday, May 31, 2020 4:57:02 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please vote on June 2 to protect COVID-19 debtors from evictions and keep immigrants, working families, seniors, and people of color in their homes.

Save the Soul of San Francisco!

Kathleen Murray
Zip: 94127

Sent from my iPhone

From: [roma.edwards](#)
To: [BOS-Supervisors](#)
Subject: Vote yes on law prohibiting evictions based on COVID-19 debt
Date: Sunday, May 31, 2020 5:18:08 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,
Vote yes on the law prohibiting evictions based on COVID-19 debt. Support this critical protection and keep immigrants, working families, and people of color in their homes. Save the Soul of San Francisco!
Best, Roma

From: [Nano Visser](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: 2020 San Francisco Health and Recovery Bond
Date: Sunday, May 31, 2020 9:56:21 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

June 1, 2020

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA

Dear Board of Supervisors,

I am writing in support of the **2020 San Francisco Health and Recovery Bond** that is being considered for the November 2020 ballot. The COVID-19 global pandemic has changed California's and San Francisco's economic and financial situation. We cannot weather this storm alone; the 2020 Bond will allow San Francisco to come together and begin an economic recovery that will create opportunities for all.

The **2020 San Francisco Health and Recovery Bond** will prioritize shovel-ready projects delivering essential government services, support economic recovery through job creation for San Franciscans, provide funding for behavioral health and health access, while prioritizing basic infrastructure investments in our parks and recreation facilities and right-of-way infrastructure so people can get back to work quickly and help San Francisco recover.

It has been widely reported that parks have been a welcome respite and source of physical and mental health well-being during this pandemic. I live across the street from Larsen Park and watch people all day every day as they find some comfort and joy there. I myself go to the flower beds in front of the Conservatory of Flowers to watch the bees there and in the Dahlia Garden whenever I can to 'recharge my batteries' and de-stress. For my husband's recent birthday we went to Stowe Lake and watched the nesting herons and walked around the lake . . .

The benefits of parks are long lasting, and it is clear that planning for better days ahead will ensure that our open spaces are resilient. Please support the **2020 San Francisco Health and Recovery Bond** by approving the Bond proposal for the November 2020 Ballot.

Thank you for your support of our parks and City!

Sincerely,

Nano Visser
2555 20th Ave.
SF CA 94116

From: sherwin@gmail.com
To: [Major, Erica \(BOS\): Board of Supervisors, \(BOS\)](#)
Subject: Re: 200375
Date: Sunday, May 31, 2020 10:14:27 PM

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Catherine Chin

May 31, 2020

San Francisco board of supervisors
board.of.supervisors@sfgov.org

Dear Land Use Committee and Supervisors Mandelman, Dean Preston, Hillary Ronen, , Matt Haney,

I have read the most recent proposed ordinance regarding Covid-19 pandemic relief for tenants.

This pro-tenant legislation is admirable, benevolent, conscientious but is also grossly unfair and probably illegal.

I'm a San Francisco native and own a multi-unit building that I live in one unit in District 8. I've worked during all my years in San Francisco and have renters that are under rent control. Being a small mom and pop landlord with only social security and rental income that I use to live on. Having to give up the rent for an unknown period is very concerning.

I pride myself on providing fair housing. The tenants are all long term tenants and the rent is used to pay for shared water and garbage. I have to continue to pay a mortgage, property tax, and building upkeep/maintenance in a 100+ year old building also.

So, the long and the short is this, if the proposed legislation is passed, building owners in San Francisco will be forced to subsidize ALL the housing needs for tenants in this City, for the foreseeable future, (as nobody knows how long this pandemic will last.)

Thank you,
Catherine Chin
sherwin@gmail.com/firecat16@yahoo.com

From: [Natalie Blackman](#)
To: [Yee, Norman \(BOS\); BOS-Supervisors](#)
Subject: Prohibit evictions based on COVID-19 debt
Date: Monday, June 1, 2020 1:44:15 PM

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Hi Supervisor Yee,

I live in your district at 550 Kirkham St, San Francisco, CA 94122. Please vote in favor of upcoming legislation protecting San Franciscans from eviction due to COVID-19 debt. This critical protection will help keep immigrants, working families, and people of color in their homes at a time when they are most vulnerable.

Thank you,

Natalie Blackman

From: [Wendy Thurm](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#)
Subject: Please support legislation to prohibit evictions for nonpayment of rent
Date: Monday, June 1, 2020 2:06:57 PM

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Hello,

I am a San Francisco resident. I live in the Inner Sunset, in District 7. I am writing to urge all of you to support the legislation proposed by Supervisors Ronen, Haney, Walton and Preston to prohibit evictions in San Francisco during the COVID-19 crisis due to nonpayment of rent. Join Oakland in protecting renters during this global pandemic.

Thank you.

Wendy Thurm
1590 9th Avenue
SF 94122

From: [Leslie Roffman](#)
To: [BOS-Supervisors](#)
Subject: Please support no evictions for non-payment of rent!
Date: Monday, June 1, 2020 2:14:36 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors

In this fraught moment, the board of supervisors has an opportunity to show how much you are paying attention to the huge burdens faced by the vulnerable in so many neighborhoods in San Francisco. There are few things more important to people than to have a place to shelter and care for yourself and your family in peace. We have certainly been reminded how important it is to have shelter in the past few months. The proposal that the board is considering today and tomorrow to prohibit evictions based on non-payment of rent seems the most important step the city government could take to protect its residents from the economic impact of COVID 19. It is also fair to landlords in that it does not take away rent owed to landlords either.

Please take this important step to ensure we do not create even more unhoused San Franciscans! Please help save the soul of San Francisco.

Thank you,
Leslie Roffman
Faith in Action leader
2067 44th Avenue
SF, CA 94116

--

Leslie Roffman
leslier@littleschool.org
415-265-1584

From: [Leslie Roffman](#)
To: [BOS-Legislative Aides](#)
Subject: Support for proposal to prevent evictions for non-payment of rent
Date: Monday, June 1, 2020 2:16:16 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I sent the following email to the board of supervisors:

Dear Supervisors,

In this fraught moment, the board of supervisors has an opportunity to show how much you are paying attention to the huge burdens faced by the vulnerable in so many neighborhoods in San Francisco. There are few things more important to people than to have a place to shelter and care for yourself and your family in peace. We have certainly been reminded how important it is to have shelter in the past few months. The proposal that the board is considering today and tomorrow to prohibit evictions based on non-payment of rent seems the most important step the city government could take to protect its residents from the economic impact of COVID 19. It is also fair to landlords in that it does not take away rent owed to landlords either.

Please take this important step to ensure we do not create even more unhoused San Franciscans! Please help save the soul of San Francisco.

--

Leslie Roffman
leslier@littleschool.org
415-265-1584

From: [Erika Opper](#)
To: [BOS-Supervisors](#)
Subject: Evictions
Date: Monday, June 1, 2020 3:29:09 PM

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Dear Board of Supervisors:

I am writing in support of legislation to forbid evictions based on rental debt accumulated during the pandemic. The idea that struggling families will somehow be able to repay their accumulated debt in a timely manner is insane. If they have been able to pay rent, it is because they have had inadequate income and certainly no chance to accumulate savings. While I know that landlords are hurting too, we must still humanely protect the struggling renters of the City.

Thank you,
Erika Opper
Noe Valley/Diamond Heights neighborhood

From: [Michelle Foy](#)
To: [BOS-Supervisors](#)
Subject: defend affordable housing
Date: Tuesday, June 2, 2020 8:36:09 AM

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Greetings,

My name is Michelle Foy and I am a district 8 resident. I am asking you to defend affordable housing investments in D11 in the budget. Organizers and community members did their part to create affordable housing solutions - advocated for, planned, and designed two new 100% affordable housing projects at the Balboa Upper Yard and the old Valente Marini Perata Mortuary on Mission Street. They also fought hard to win the public investments to move these projects forward.

In 2018, Supervisor Safai stood by and allowed millions of dollars in funds to be diverted from the development of the Valente Mortuary site ([SF Examiner](#)) that had been committed through the 2015 Affordable Housing Bond, and now, in the revised 2020 budget being heard at the Board of Supervisors, city officials are doing it again.

District 11 has borne the burden of a spike in no-fault eviction rates over the last few years at the same time as a surge in luxury housing development. Every day in this affordability crisis, another local family is forced into a converted garage, or to move into a car, or to double up on a couch, or to leave the city for good.

Thank you for your support and leadership, Michelle Foy, Noe Valley

From: [Eric Tang](#)
To: [Major, Erica \(BOS\)](#)
Subject: NO on #200375
Date: Thursday, June 4, 2020 9:31:56 PM

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Sent from my iPhone

From: [Eric Tang](#)
To: [Major, Erica \(BOS\)](#)
Subject: NO on #200375
Date: Thursday, June 4, 2020 9:32:05 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Sent from my iPhone

From: [Marston & Sandra Nauman](#)
To: [Marston & Sandra Nauman](#)
Subject: LAND USE COMMITTEE MEETING, JUNE 8 - NO ON #200375
Date: Thursday, June 4, 2020 10:04:38 PM

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WE ARE EMAILING TO REQUEST YOUR - NO VOTE ON FILE NO. 200375

As Small Property owners the proposal will make it nearly impossible for small property owners to recoup unpaid rent.

The proposal basically places the financial burden of COVID-19 on the property owners who have fixed mortgages, property taxes, maintenance expenses, insurance, etc., and most of all do not have the financial reserve to bear this unexpected COVID-19 problem which certainly was not caused by those of us who provide residential dwellings.

The small property owner does not have the financial resources to have their tenants not pay their rent.

Again, **VOTE NO ON NO. 200375.**

**Gerald Marston Nauman and
Sandra A. Nauman**