

**From:** [Meg Heisler](#)  
**To:** [Melgar, Myrna \(BOS\)](#); [Chen, Chyanne \(BOS\)](#); [Mahmood, Bilal \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [Sciammas, Charlie \(BOS\)](#); [Cooper, Raynell \(BOS\)](#); [Carroll, John \(BOS\)](#)  
**Cc:** [Mandelman, Rafael \(BOS\)](#); [Ho, Calvin \(BOS\)](#)  
**Subject:** SFADC letter re: UDU legislation (File No. 240803)  
**Date:** Friday, July 25, 2025 1:10:17 PM  
**Attachments:** [SFADC Support Letter - UDU Legislation \(File No. 240803\).pdf](#)

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Dear Chair Melgar, Supervisor Chen and Supervisor Mahmood,

I'm writing on behalf of the San Francisco Anti-Displacement Coalition to share our support for Supervisor Melgar's UDU legislation to be heard at Monday's Land Use and Transportation Committee. Please find our letter attached.

Thank you,

Meg

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Meg Heisler  
San Francisco Anti-Displacement Coalition  
1212 Market Street, Unit 200  
San Francisco, CA 94102  
SFADC.org



July 25, 2025

San Francisco Board of Supervisors  
Land Use and Transportation Committee  
1 Dr Carlton B Goodlett Place  
San Francisco, CA 94102

**Re: Unauthorized and Rent-Controlled Dwelling Units Verification (File No. 240803)**

Dear Chair Melgar, Supervisor Chen, and Supervisor Mahmood.

The San Francisco Anti-Displacement Coalition writes to express our support for Supervisor Melgar's Unauthorized and Rent-Controlled Dwelling Units Verification legislation. We are grateful to Supervisor Melgar and her staff for tackling this complex issue and working diligently to protect thousands of affordable, rent-controlled units.

More often than not, unauthorized dwelling units (UDUs), are subject to the Rent Ordinance. However, tens of thousands of these units are unaccounted for in the City's records. There are already numerous examples of landlords collecting rent from UDU tenants for years only to evict them and sell the property to new owners who remodel or redevelop the UDUs out of existence.

Both the state—via laws such as SB 423 and SB 79—and the City—with its proposed rezoning plan—are further incentivizing developers to demolish existing residential housing and omit or obfuscate the presence of UDUs from their development applications. In theory, SB 330 requires that demolished rent-controlled units be replaced. But what if we never knew they existed in the first place? It is far too easy to skirt the rules. The Planning Department and advocates need more tools to hold bad actors accountable and protect existing and future tenants. This ordinance is an important step in that direction.

*It is not an undue burden—in fact it should be a minimum expectation—for development applications to accurately reflect onsite conditions.* Otherwise, we risk losing an essential part of our housing stock and denying already vulnerable tenants their rights under state and local law simply because they needed an affordable place to live. We urge your support for this legislation.

Sincerely,  
Meg Heisler  
Policy Lead, San Francisco Anti-Displacement Coalition

cc: Board President Rafael Mandelman

**From:** [T Flandrich](#)  
**To:** [Melgar, Myrna \(BOS\)](#); [Chen, Chyanne \(BOS\)](#); [Mahmood, Bilal \(BOS\)](#)  
**Cc:** [MelgarStaff \(BOS\)](#); [ChenStaff](#); [bilal.mahmoodstaff@sfgov.org](mailto:bilal.mahmoodstaff@sfgov.org); [Carroll, John \(BOS\)](#)  
**Subject:** 2. 240803 [Planning, Building Codes - Unauthorized and Rent-Controlled Dwelling Units] SUPPORT  
**Date:** Friday, July 25, 2025 12:32:35 PM

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25 July 2025

Chair Melgar, Supervisors Chen & Mahmood,

Thank you Supervisor Melgar for bringing this desperately needed measure forward to preserve existing rent controlled housing and protect tenant displacement.

You have defined the problem, called out the misleading tactics used by developers, their agents and listed means for solutions with teeth for actual enforcement.

I urge all members of this committee to pass this with a positive recommendation and forward it immediately to the full board.

Thank you for representing our 2/3 population of tenants, our neighborhoods, our communities!

Sincerely,  
Theresa Flandrich  
North Beach Tenants Committee

**From:** [Carroll, John \(BOS\)](#)  
**To:** [Thomas Schuttish](#)  
**Cc:** [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [Low, Jen \(BOS\)](#); [Chen, Chyanne \(BOS\)](#); [Sciammas, Charlie \(BOS\)](#); [Mahmood, Bilal \(BOS\)](#); [Cooper, Raynell \(BOS\)](#)  
**Subject:** FW: File No. 240803 At LUT on July 28th, 2025  
**Date:** Thursday, July 24, 2025 9:57:00 AM  
**Attachments:** [271 Fair Oaks Street copy.pdf](#)  
[Screen Shot 2025-07-23 at 5.12.34 PM.png](#)  
[image001.png](#)

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Thank you for your comment letter.

I am forwarding your comments to the members of the Land Use and Transportation committee, and I will include your comments in the file for this ordinance matter.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

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[Board of Supervisors File No. 240803](#)

**John Carroll**  
**Assistant Clerk**  
Board of Supervisors  
San Francisco City Hall, Room 244  
San Francisco, CA 94102  
(415)554-4445



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

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**From:** Thomas Schuttish <[schuttishtr@sbcglobal.net](mailto:schuttishtr@sbcglobal.net)>  
**Sent:** Wednesday, July 23, 2025 5:18 PM  
**To:** Carroll, John (BOS) <[john.carroll@sfgov.org](mailto:john.carroll@sfgov.org)>; Melgar, Myrna (BOS) <[myrna.melgar@sfgov.org](mailto:myrna.melgar@sfgov.org)>; Fieber, Jennifer (BOS) <[jennifer.fieber@sfgov.org](mailto:jennifer.fieber@sfgov.org)>  
**Subject:** File No. 240803 At LUT on July 28th

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

Dear Mr. Carroll, Chair Melgar and Ms. Fieber:

This is great legislation. The new [Section 317 \(j\)](#) is important to make sure that existing rent controlled housing is not lost.

Here are some anecdotes:

In my neighborhood of Noe Valley there was a particularly notorious case at [79 28th Street](#) when the first developer, not only did he not "fess-up" to the UDU that was on the property, but also Ellis'ed the long time tenants. The eviction of the tenants brought the UDU to light at the Planning Commission, but that was only because a neighbor filed a Request for Discretionary Review. The project is now undergoing a major remodel, but a second unit was added which hopefully will be available for separate occupancy by a tenant.



There was another property that illegally exceeded the Section 317 Demo Calcs at 403 28th Street, and that was marketed and sold with the ads noting that a UDU existed at the property. Yet it was not disclosed by the project sponsor in their Permit Application to the City. The UDU was a beautiful unit, located off a garden with very good egress and exposure. It was only due to a complaint because of the illegal Demolition that a second unit was added by the Commission at the CUA hearing for this project in the RH-2. However two existing, sound, livable, relatively affordable units subject to rent control were lost.

Here is the link to the web ad from the time of sale which mentioned the “in-law”. As can be seen in the web ad there are two kitchens and the units are completely separate.

[https://www.zillow.com/homedetails/403-28th-St-San-Francisco-CA-94131/15182942\\_zpid/](https://www.zillow.com/homedetails/403-28th-St-San-Francisco-CA-94131/15182942_zpid/)

A decade ago at 271 Fair Oaks Street, another extreme Alteration that was very close to the Tantamount To Demolition threshold and should have been reviewed as a Demolition, caused the loss of a UDU and the eviction of the tenant. See attached pdf with some of the history.

*This legislation will help uncover properties that are for sale, then later seeking Alteration permits, that may either have evicted tenants from the UDU or not acknowledged the existence of this very important source of housing...housing that is rent controlled...and then just obliterated during the work.*

I am aware of one now going through a major remodel with a two-floor vertical expansion that sold prior to the Pandemic.

This property is listed on the SFPIM as a single family home.

See the attached screenshot below of a web ad for this project which details the “in-law”.

The property was sold due to the death of the original owner. *A neighbor told me that a tenant lived on the garage level in a separate unit that had a kitchen for many years.* But the tenant left when the new owner took possession. Yet, there was no acknowledgment of the UDU by the new owner in the several permit applications for this very major remodel. In fact the first set of permits for the ground floor include replacing the kitchen.

As found on the DBI Tracking it reads:

NEW LIVING SPACE AT GR FL E ENVELOPE, 2 BEDROOMS, 2 BATHS, 1 OFFICE, LAUNDRY, MECH 2ND FL. **REPLACE KITCHEN, REMOVE FULL BATH, ADD 1/2 BATH.** REPLACE 2 WINDOWS AT STREET FACADE, INCREASE WIDTH OF GARAGE DOOR DUE TO 10' NEW DOORS AND WINDOWS AT REAR YARD. REMOVE PORTION OF E WOOD DECK AT REAR YARD

Cost: \$350,000.00

Occupancy Code: R-3

Building Use :27 - 1 FAMILY DWELLING

There are stories like this all around the City, in every neighborhood.

This legislation will help preserve this important source of housing as we deal with the affordable housing crisis and every unit of housing is thought of as something precious.

Sincerely,  
Georgia Schuttish

**\$1,346,000 -  
\$1,644,000**  
Reference Base Price\*

**26.37%**  
Since Jul 1, 2019

**CA-San Francisco**  
Primary Model

Sold Jun 17, 2019

**\$1,910,000**



Buyer



Seller

**\$1,872,000 by Hsbc Bank Usa**

Mortgage Due Jun 01, 2051

## About This Property

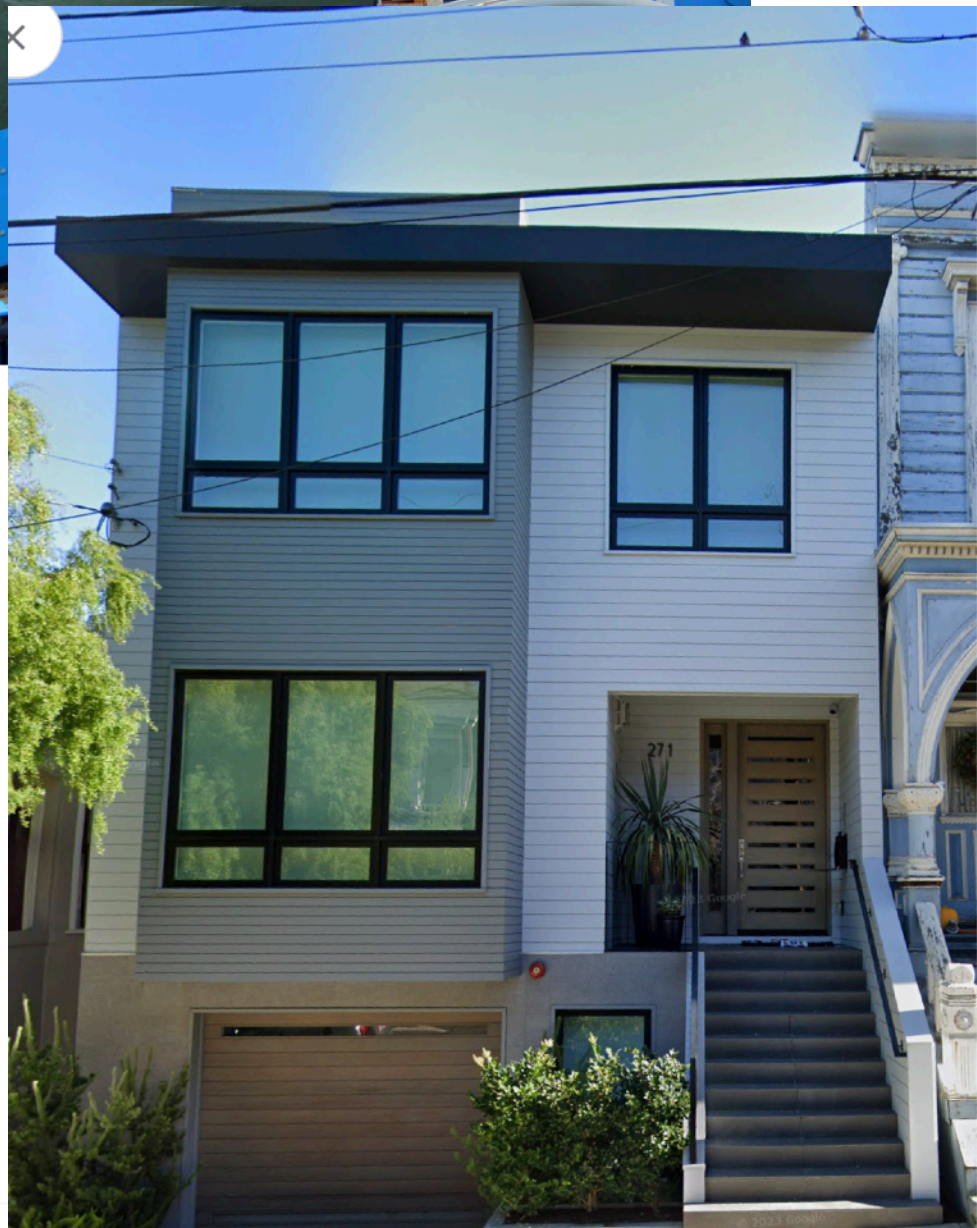
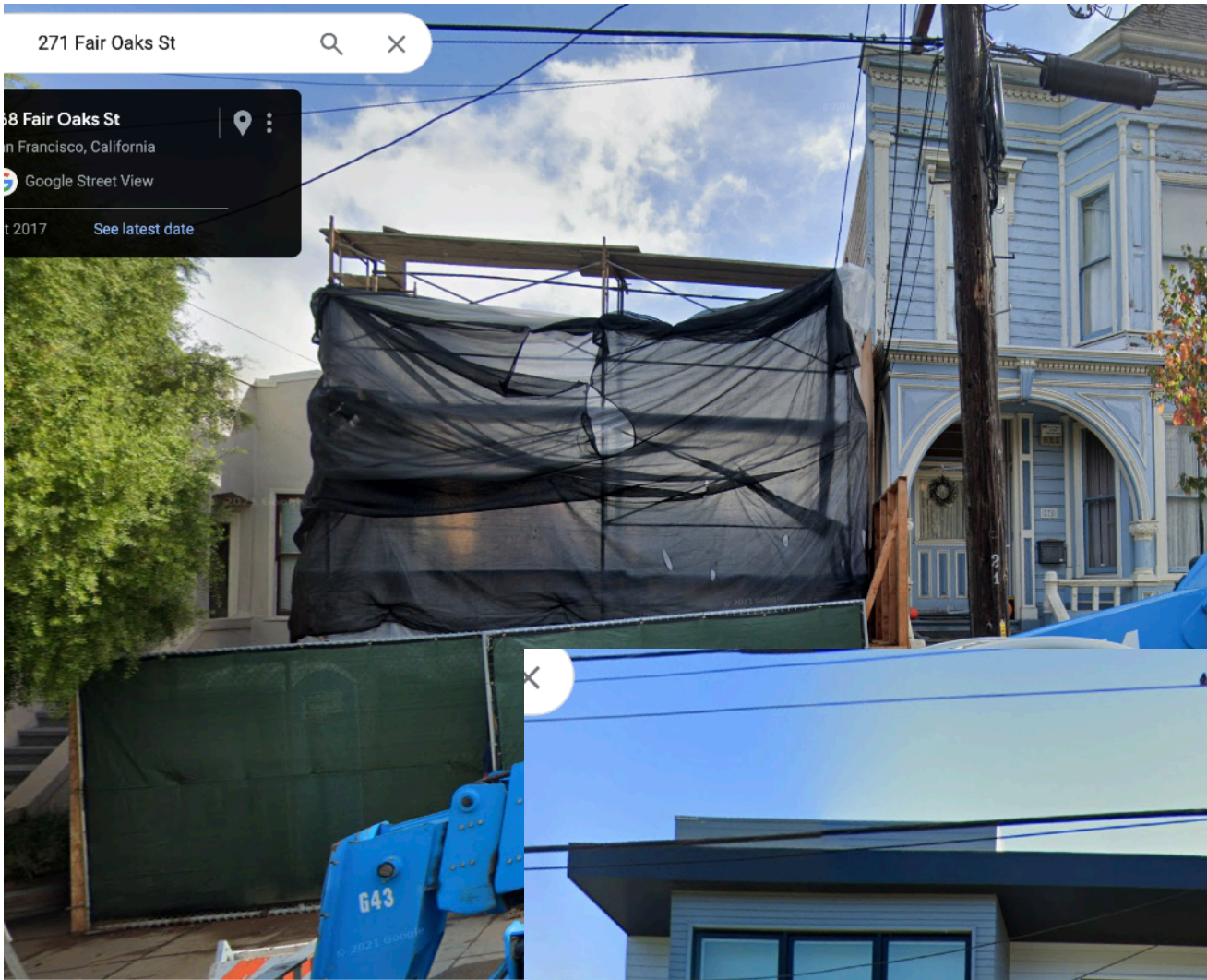
Exceptional development/expansion opportunity on prime Noe Valley Block. Settled on a desirable level lot consisting of 2,850 square feet, 25 feet wide x 114 feet deep with a sunny South-facing yard. The home offers potential for vertical and horizontal addition with larger neighboring homes and currently features three bedrooms/one bath over a garage with an in-law suite down. Amazing location in a flat Noe area with a 94 Walk Score, steps to Church Street with cafes and the J Church line. Ideal for developers or buyers who want to build their dream home!

Original House at 271 Fair Oaks Street prior to Alteration. Note door with address of 273 and Welcome Sign as well as mail slot.

*This was an occupied unit as noted by neighbor in Request for Discretionary Review that was withdrawn and Jurisdiction Request from occupant of unit at Board of Appeals. See pages 3 and 4 for those documents. Page 2 shows 271 Fair Oaks during the Alteration and upon completion in 2020. Page 5 shows Price History*







# FROM 2016 DR FOR 271 FAIROAKS.

in the yard and deprives us of the enjoyment of that feature. The downstairs neighbors would also experience a decrease in the natural light and warmth. Solution: Remove uppermost (4<sup>th</sup>) story from plans.

5. The additional floor is inconsistent with the neighborhood wherein no other single family home features a 4<sup>th</sup> story. The additional of this unnecessary floor also blocks city views from our neighbors across the road. The additional level is an over-improvement and could easily be removed from the plans without difficulty. Solution: Remove uppermost story from plans.
6. The design of the proposed single family home is not in keeping with the look of the adjacent and nearby properties. The design of the proposed home is widely disliked by a vast majority of the neighbors. Even those neighbors who like modern design have told the owner that they do not like the design of this property. The owner has not taken any suggestions made by the neighborhood in regard to design or any aspect of this building. Solution: Alter façade to more accurately fit into neighborhood designs.

The design of the property appears to allow for the possibility of an illegal in-law unit. This is especially egregious as a long-term tenant was forced out of the legal second unit in order for the owner to convert it into one unit. The plans for the new home show a "Storage/Utility Room". This does not appear to be merely a utility as evidenced by the window, street access doorway, and a bathroom. There is an area which is partially walled off, however, a door can easily be installed thereby giving access to the entire ground floor level. If the owner is trying to get around the city's tenant's right codes in order to serve his own needs, then this is a problem for the city government, law enforcement, and the people who live on this street. Solution: Deny any rights or conversion and monitor plans. Make property size more in keeping with standard square footage.

8. The proposed single family home features a one-car garage. Because parking is scarce, add a side-by-side parking garage into plans. This is preferable over tandem parking due to the inherent complications for moving one car out to get to another. Also, tandem parking encourages homeowners to park only one car in the garage and the other on the street. The net result is that it is more convenient to park on the street, taking up the very scarce parking. Solution: Remove utility room and add additional parking space. The property and street could benefit from side-by-side parking. This will reduce the impact of parking in the neighborhood.
9. The owner has no intention of living on the property. It is ultimately going to be flipped and resold. As such, the owner has little interest in working with the people who live on this street. The desires of the inhabitants of Fair Oaks street should be given ample weight in buildings that can alter the look or feel of the street. To do otherwise gives the speculators an undeserved

21.17/1771

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2 JOSEPH TOBENER, SBN. 203419  
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San Francisco, California 94118  
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BOARD OF APPEALS

OCT 02 2014

APPEAL # *JR*

FILE

6 Attorneys for Petitioner JOHN ROMAN

Re: BPA No. 2014-  
08-18-4044

8 CITY & COUNTY OF SAN FRANCISCO

9 BOARD OF APPEALS

11 JURISDICTION REQUEST

13 Subject Property: 271 Fair Oaks Street Permit Issued: August 18, 2014

15 I. INTRODUCTION

16 John Roman has rented the lower-level in-law unit located at 271 Fair Oaks Street for  
17 fifteen years. (See Exhibit A, Declaration of John Roman.) John's home was recently sold last.  
18 (See Exhibit B, Declaration of Monique Farris.) Prior to the sale, John was offered \$75,000 to  
19 move. (See Exhibit A.) John declined the offer. (See Exhibit A.) Two weeks later, the owner  
20 again tried to convince John to move, this time offering him \$100,000. (See Exhibit A.) Again,  
21 John rejected the offer. (See Exhibit A.)

22 On August 12, 2014, John received a notice from the owner's agent stating that the owner  
23 intended to apply for a permit to demolish John's home based on a claim that the in-law unit is  
24 an illegal unit. (See Exhibit A.) John was shocked, as the in-law unit is in fact a legal unit and  
25 has been used as a dwelling for at least sixty-five years. (See Exhibit A)

26 On August 25, 2014, John hired an attorney to represent John in challenging any attempt  
27 by John's landlord to demolish John's home. (See Exhibit A.) That same day, August 25, 2014,  
28 John's attorney was told by the San Francisco Department of Building Inspection that no

4 bd | 5 ba | 3,741 sqft

271 Fair Oaks St, San Francisco, CA 94110

**Sold**

**: \$5,750,000** | Sold on 01/19/24 | Zestimate®: **\$5,606,900**

**Est. refi payment: \$37,492/mo** **Refinance your loan**

[Home value](#) [Owner tools](#) [Home details](#) [Neighborhood details](#)

1/19/2024	<b>Sold</b>	\$5,750,000 -4.1%
		\$1,537/sqft

Source: SFAR #423755862 Report

11/3/2023	<b>Pending sale</b>	\$5,995,000
		\$1,603/sqft

Source: SFAR #423755862 Report

9/5/2023	<b>Listed for sale</b>	\$5,995,000 -9.5%
		\$1,603/sqft

Source: SFAR #423755862 Report

4/19/2021	<b>Sold</b>	\$6,625,000 +5.2%
		\$1,771/sqft

Source: Public Record Report

3/20/2020	<b>Sold</b>	\$6,300,000 +281.8%
		\$1,684/sqft

Source: SFAR #497166 Report

7/23/2014	<b>Sold</b>	\$1,650,000 +1988.6%
		\$441/sqft

There was a sale two weeks earlier in July 2014 based on **Redfin Sales History Info** as shown below. These sales aligns with the SFPIM for the Assessor's Info further illustrating the volatile sales history.

Jul 10, 2014

Date

Sold (Public Records)

Public Records

\$1,280,000 (12.1%/yr)

Price



# 271 FAIROAKS STREET PLANS DATED 7/9/16

ELEVATION	EXISTING	DENOLISH	PERCENT
NORTH	1,427 <sup>SQ</sup> FT	233 <sup>SQ</sup> FT	
SOUTH	1,399 <sup>SQ</sup> FT	319 <sup>SQ</sup> FT	
EAST	727 <sup>SQ</sup> FT	727 <sup>SQ</sup> FT	
WEST	691 <sup>SQ</sup> FT	691 <sup>SQ</sup> FT	
TOTAL	4,194 <sup>SQ</sup> FT	1,960 <sup>SQ</sup> FT	47 %

52 % DEMOLITION VERTICAL ELEMENTS

FLOOR	EXISTING	DENOLISH	
1ST FLOOR	1,136 <sup>SQ</sup> FT	0 <sup>SQ</sup> FT	
ROOF	1,136 <sup>SQ</sup> FT	1,136 <sup>SQ</sup> FT	
TOTAL	2,272 <sup>SQ</sup> FT	1,136 <sup>SQ</sup> FT	50 %

50 % DEMOLITION HORIZONTAL  
ELEMENTS

This is EXACTLY how it was written on the plans as viewed in DBI Records. Based on the numbers for the Vertical Elements square footage of "Existing" versus "Demolish" the 47% number is the "correct" number not the 52% as written on the Plans.



