

1 [Rental Subsidy Program for Low-Income Families]

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3 **Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code**

4 **creating the Rental Subsidy Program for Low-Income Families that establishes a need-**

5 **based local housing subsidy for homeless families subject to the fiscal and budgetary**

6 **provisions of the Charter.**

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

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

11 Section 1. The San Francisco Administrative Code is hereby amended by adding
12 Sections 48.1 through 48.7, to read as follows:

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14 **SEC. 48.1. FINDINGS.**

15 The Board of Supervisors finds and declares the following:

16 (a) The City and County of San Francisco is committed to providing permanent and stable
17 housing for homeless families; and

18 (b) According to the San Francisco Homeless Prenatal Program, there are at least 2000
19 homeless families living in San Francisco; and

20 (c) There are currently approximately 1560 family members living in SRO hotels, including
21 760 children; and

22 (d) Living in homeless shelters, SRO hotels and overcrowded conditions has severe negative
23 impacts on the health and well-being of children, including serious and chronic health problems,
24 developmental delays, mental health problems, academic failures, behavioral problems, and hunger
25 and poor nutrition; and

1 (e) In 2006, the San Francisco Board of Supervisors funded a local housing subsidy
2 (ordinance number 71-06) which provided 300 families with a rental subsidy of \$500 per month that
3 assisted homeless families with permanent and stable housing; the Board of Supervisors then approved
4 the subsidy in subsequent years; and

5 (f) The current subsidies expire one year from the time the family began receiving the
6 subsidy, with the possibility that the subsidy be extended up to two years; and

7 (g) The Board of Supervisors recognizes that this subsidy program does not meet the needs
8 of the majority of extremely low-income families and that the City and County of San Francisco should
9 make other efforts to provide services and support to this population.

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11 **SEC. 48.2. DEFINITIONS.** For purposes of this Ordinance only, the following definitions apply:

12 (a) "Household" means any person or persons who reside or intend to reside in the same
13 housing unit.

14 (b) "Extremely low-income" means a household whose combined annual gross income for
15 all members does not exceed 30% of the San Francisco median income.

16 (c) "Low-income" means a household whose combined annual gross income for all
17 members is between 31% and 60% of the San Francisco median income.

18 (d) "San Francisco median income" means a household whose combined annual gross
19 income for all members does not exceed 100 percent of the median income for the City and County of
20 San Francisco, as calculated by the Mayor's Office of Housing using data from the United States
21 Department of Housing and Urban Development (HUD) and adjusted for household size or, if data
22 from HUD is unavailable, calculated by the Mayor's Office of Housing using other publicly available
23 and credible data and adjusted for household size, as defined in San Francisco Planning Code section
24 315.1(17), as may be amended from time to time.

1 **SEC. 48.3. ADMINISTRATION OF PROGRAM.**

2 The San Francisco Human Services Agency (HSA) shall administer the Rental Subsidy
3 Program, which shall be funded through the general fund, subject to the Annual Appropriations
4 Ordinance. HSA shall adopt rules and regulations to implement the Rental Subsidy Program consistent
5 with this ordinance. HSA shall ensure that contractors administering this program communicate with
6 families eligible to the Rental Subsidy Program in the families' primary language. In addition, HSA
7 shall administer the program so that eligible families are served on a first-come, first-served basis until
8 the total amount of money designated for this program in the Annual Appropriations Ordinance is
9 gone.

10 **SEC. 48.4. ELIGIBILITY REQUIREMENTS.**

11 Subject to the fiscal and budgetary provisions of the Charter, households will be eligible for the
12 Rental Subsidy Program if they meet San Francisco's definition of homelessness as adopted by the San
13 Francisco Board of Supervisors in resolution number 997-01, to wit: "families who lack a fixed,
14 regular, and adequate nighttime residence and who have a primary nighttime residence in one or more
15 of the following categories: shelter, street, vehicle, make-shift, doubled-up, and transitional." In
16 addition, households shall be eligible for this program if they reside in SRO hotels, severely
17 overcrowded conditions, or if they are low-income or extremely low-income families at immediate risk
18 of eviction and paying over 85% of their income in rent.

19 (b) Minimum income criteria for this program shall be flexible and shall take into account current
20 living expenses. As a general guideline, once a household is receiving the subsidy, no more than 60%
21 of the household's gross income shall go towards rent. Households may, however, be allowed to pay a
22 higher percentage of their income to rent if they have demonstrated the ability to do so.

23 (c) Eligibility to this program shall not be based on a minimum length of employment.

1 **SEC. 48.5. AMOUNT OF SUBSIDY; TIME LIMITS.**

2 *Subject to the fiscal and budgetary provisions of the Charter, the amount of the subsidy shall
3 not exceed \$500 per month per household and shall be based on the needs of the family. The amount of
4 the subsidy shall decrease as the household's income increases. The subsidy shall have no time limits.*

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6 **SEC. 48.6. LIMITATION OF LIABILITY.**

7 *By adopting this Article, the City and County of San Francisco is assuming an undertaking only
8 to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an
9 obligation or duty for breach of which it is liable in money damages or any other relief to any person
10 who claims that such a breach proximately caused injury or damages, including but not limited to any
11 and all claims by landlords or tenants affected by subsidies offered under this program.*

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13 **SEC. 48.7. SEVERABILITY.**

14 *If any section, subsection, clause, phrase or portion of this Article is for any reason held invalid
15 or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall
16 be deemed a separate, distinct and independent provision and such holding shall not affect the validity
17 of the remaining portions thereof.*

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

21 By: _____
22 JENNIFER WILLIAMS
23 Deputy City Attorney

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