

1 [Subdivision Code - Moratorium on condominium conversions.]

2
3 **Ordinance amending Section 1396 of the Subdivision Code to impose a moratorium on**
4 **condominium conversions others than those performed by a qualifying community**
5 **land trust until the City and County of San Francisco studies the impact of "tenancy in**
6 **common" condominium conversions on the City's rental housing stock and the impact**
7 **of such conversions on the policies of the San Francisco Subdivision Code; and**
8 **making environmental findings.**

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

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

13 Section 1. The Planning Department has determined that the actions contemplated in
14 this Ordinance are in compliance with the California Environmental Quality Act (California
15 Public Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of
16 the Board of Supervisors in File No. and is incorporated herein by reference.

17 Section 2. The San Francisco Subdivision Code is hereby amended by amending
18 Section 1396, to read as follows:
19 SEC. 1396. ANNUAL CONVERSION LIMITATION. This Section governing annual limitation
20 shall apply only to conversion of residential units, *except for those to be converted to limited equity*
21 *condominiums through a tax-exempt, non-profit community land trust whose primary purpose is to*
22 *provide housing for low and moderate income households.*

23 Applications for conversion of residential units, whether vacant or occupied, shall not
24 be accepted by the Department of Public Works during the period of January 1, 1994 through
25 December 31, ~~2006~~2007, inclusive, *while the City and County of San Francisco studies the impact of*

1 "tenancy in common" conversions on the City's rental housing stock and the impact of the conversion
2 on the policies of the San Francisco Subdivision Code. ~~except that a maximum of 200 units, as selected~~
3 ~~yearly by lottery by the Department of Public Works from all eligible applicants, may be approved for~~
4 ~~conversion per year during the aforementioned period for the following categories of buildings:~~

5 ~~—— (a) buildings consisting of four units or less in which one of the units has been occupied~~
6 ~~continuously by one of the applicant owners of record for three years prior to the date of registration~~
7 ~~for the lottery as selected by the Director. or~~

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

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

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

21 ~~—— No application for conversion of a residential building submitted by a registrant shall be~~
22 ~~approved by the Department of Public Works to fill the unused portion of the 200 unit annual limitation~~
23 ~~for the previous year.~~

1 (a) No later than 120 days after the effective date of this legislation, a Task Force shall be
2 formed to study the impact of “Tenancy In Common” (TIC) conversions on the City’s rental housing
3 stock and the impact of these conversions on the policies of the San Francisco Subdivision Code. No
4 later than September 1, 2007, this Task Force shall recommend to the Board of Supervisors its analysis
5 and recommendations regarding the impact of TIC conversions and shall recommend to the Board an
6 appropriate number of condominium conversions that should be allowed, and under what conditions,
7 for each calendar year.

8 (b) The Task Force shall consist of 9 members with the Mayor and Board of Supervisors each
9 appointing 4 members. The ninth member shall be the Director of the Mayor’s Office of Housing. The
10 members shall be selected as follows: 3 members shall be landlords, 2 appointed by the Mayor and 1
11 by the Board of Supervisors; 3 members shall be tenants, 1 appointed by the Mayor and 2 by the Board
12 of Supervisors; and 2 members shall represent non-profit housing developers, 1 appointed by the
13 Mayor and 1 by the Board of Supervisors.

14 (1) All meetings of the Task Force shall be called, noticed, held and conducted subject to the
15 provisions of the Ralph M. Brown Act (Chapter 9 of Part 1 of Division 2 of Title 5 of the California
16 Government Code, Sections 54950 to 54962) and the San Francisco Sunshine Ordinance (Chapter 67
17 of the San Francisco Administrative Code).

18 (2) All records of the Authority shall be deemed “public records” for purposes of the Public
19 Records Act (California Government Code Section 6250 et seq.) and “public information” for purposes
20 of the San Francisco Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code). The
21 Authority shall be subject to the disclosure requirements and procedures mandated by the Public
22 Records Act and Sunshine Ordinance.

1 APPROVED AS TO FORM:
2 DENNIS J. HERRERA, City Attorney

3 By: _____
4 John D. Malamut
5 Deputy City Attorney

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25