

1 [Administrative Code - Short-Term Residential Rentals]

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3 **Ordinance amending the Administrative Code to revise the Residential Unit Conversion**
4 **Ordinance to require Hosting Platforms to exercise reasonable care in verifying that a**
5 **residential unit is on the City Registry prior to accepting a fee for booking a short-term**
6 **rental transaction; and affirming the Planning Department's determination under the**
7 **California Environmental Quality Act.**

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

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

16 Section 1. The Planning Department has determined that the actions contemplated
17 in this ordinance comply with the California Environmental Quality Act (California Public
18 Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the
19 Board of Supervisors in File No. 170158 and is incorporated herein by reference. The Board
20 affirms this determination.

21 Section 2. The Administrative Code is hereby amended by revising Section 41A.5, to
22 read as follows:

23 **SEC. 41A.5. UNLAWFUL CONVERSION; REMEDIES.**

24 * * * *

25 (g) **Exception for Short-Term Residential Rental.**

1 * * * *

2 (4) Requirements for Hosting Platforms.

3 * * * *

4 (C) A Hosting Platform may provide, and collect a fee for, Booking
5 Services in connection with short-term rentals for Residential Units located in the City and
6 County of San Francisco only when *the Hosting Platform exercises reasonable care to confirm that*
7 *those Residential Units are lawfully registered on the Short-Term Residential Rental Registry*
8 *at the time the Residential Unit is rented for short-term rental. Whenever a Hosting Platform*
9 *complies with administrative guidelines issued by the Office of Short-Term Residential Rental*
10 *Administration and Enforcement to confirm that the Residential Unit is lawfully registered on the*
11 *Short-Term Rental Registry, the Hosting Platform shall be deemed to have exercised reasonable care*
12 *for the purpose of this subsection (g)(4)(C).*

13 * * * *

14
15 Section 3. Effective Date. This ordinance shall become effective 30 days after
16 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
17 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
18 of Supervisors overrides the Mayor's veto of the ordinance.

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20 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
21 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
22 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
23 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
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1 additions, and Board amendment deletions in accordance with the "Note" that appears under
2 the official title of the ordinance.

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

By: 

JON GIVNER
Deputy City Attorney

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City and County of San Francisco

Tails Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 170158

Date Passed: April 04, 2017

Ordinance amending the Administrative Code to revise the Residential Unit Conversion Ordinance to require Hosting Platforms to exercise reasonable care in verifying that a residential unit is on the City Registry prior to accepting a fee for booking a short-term rental transaction; and affirming the Planning Department's determination under the California Environmental Quality Act.

March 15, 2017 Government Audit and Oversight Committee - RECOMMENDED

March 21, 2017 Board of Supervisors - PASSED ON FIRST READING

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

Excused: 1 - Farrell


April 04, 2017 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

Excused: 1 - Farrell

File No. 170158


I hereby certify that the foregoing Ordinance was FINALLY PASSED on 4/4/2017 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



Mayor



Date Approved