

1 [Housing Code - Housing Access - Extending Protections to All Persons Sharing Housing]

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3 **Draft Ordinance amending the Housing Code, Chapter 5, Section 503(d), "Housing**
4 **Access," to promote affordable housing by extending the protections of that section to**
5 **all persons sharing housing by deleting the references to "families," and to specify that**
6 **both prospective and current tenants are protected; and amending Section 503(b),**
7 **"Superficial Floor Area," to make a technical correction.**

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NOTE: Additions are *single-underline italics Times New Roman*;
9 deletions are ~~*strike-through italics Times New Roman*~~.
Board amendment additions are double-underlined Arial;
10 Board amendment deletions are ~~strikethrough Arial~~.

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

12 Section 1. The San Francisco Housing Code is hereby amended by amending Section
13 503, to read as follows:

14 SEC. 503. ROOM DIMENSIONS.

15 (a) Ceiling Heights. Unless legally constructed as such, no habitable room shall have
16 a ceiling height less than seven feet six inches. Any room, other than a habitable room, shall
17 have a ceiling height of not less than seven feet.

18 (b) Superficial Floor Area. Every dwelling unit and congregate residence shall have at
19 least one room which shall have not less than 120 square feet of superficial floor area. Every
20 room which is used for both cooking and living or both living and sleeping purposes shall have
21 not less than 144 square feet of superficial floor area. Every room used for sleeping purposes
22 shall have not less than 70 square feet of superficial floor area. When more than two persons
23 occupy a room used for sleeping purposes the required superficial floor area shall be
24 increased at the rate of 50 square feet for each occupant in excess of two. Guest rooms with
25 cooking shall contain the combined required superficial areas of a sleeping room and a

1 kitchen, but not less than 144 square feet. Other habitable rooms shall be not less than 70
2 square feet.

3 Notwithstanding any provision of this Section, children under the age of six shall not be
4 counted for purposes of determining whether a family with minor children complies with the
5 provisions of this Code.

6 (c) Width. No habitable room except a kitchen shall be less than seven feet in width.
7 Rooms used as guest rooms with cooking shall have a 10-foot minimum width.

8 (d) Housing Access. To promote access to affordable housing ~~by families~~, it shall be
9 unlawful for the owner, lessor, lessee, sublessee, real estate broker, assignee, or other
10 person having the rights of ownership, the right of possession, or other right to rent or lease
11 any dwelling unit or any agent or employee of such person to refuse to rent or lease, or
12 otherwise deny, a dwelling unit to ~~a family, as defined in Section 401 of this Code,~~ any person on
13 the basis of the actual or potential number of occupants if the total number of persons
14 occupying a room for sleeping purposes does not violate the minimum superficial floor area
15 standards prescribed in Subsection (b) of this Section. The protections of this subsection shall
16 apply to prospective tenants at the commencement of a lease or other rental agreement, and to current
17 tenants under an existing lease or other rental agreement who seek to share the leased premises with
18 an additional occupant or occupants.

19 (e) Remedies. A violation of Subsection (d) of this Section shall be subject to the civil
20 remedies specified in Section 204(e) of this Code.

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

By: _____
Deputy City Attorney