

1 [Prohibition on denial of rental housing based on number of occupants.]

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3 **Ordinance amending San Francisco Housing Code Chapter 5, Section 503(b) to make a**
4 **technical correction, and amending San Francisco Housing Code Chapter 5, Section**
5 **503(d), to clarify that the protections of that Section extend to all persons by deleting**
6 **the references to "families," and to clarify that the Section protects prospective and**
7 **current tenants.**

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

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

1 and a kitchen, but not less than 144 square feet. Other habitable rooms shall be not less than
2 70 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, and to current tenants under an existing
17 lease who seek to share the leased premises with an additional occupant or occupants.

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

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

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25 By: _____
RAFAL OFIERSKI
Deputy City Attorney