



Tenant Protections Ordinance



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**Transportation
and Land Use
Committee
Hearing**

November 17, 2025



TODAY'S PRESENTATION

- 1. Background**
- 2. Proposed Ordinance: Tenant Protections Related to Residential Demolitions and Renovations**
- 3. Key Discussion Topics**
- 4. Acknowledgements**

1.

BACKGROUND

Context

- **STRONG LOCAL PROTECTIONS:** San Francisco's **existing regulatory framework** includes some of the **strongest demolition and tenant protection controls** in the country.
- **RECENT STATE CHANGES:** The Housing Crisis Act (SB 330), adopted in 2019, established **requirements for replacement units and tenant protections** when demolitions occur:
 - **No net loss** of Residential Units
 - **Replacement** of existing or demolished **Protected Units**
 - **Protections for Existing Occupants**, in particular, **lower-income households**
- **RELATIONSHIP TO REZONING:** The proposed ordinance responds to **community advocacy** during the Family Zoning plan; it **codifies and expands the existing SB 330** requirements.

Proposed Tenant Protections Ordinance (TPO)

- Establishes **clear, consistent, and transparent** policies to ensure **strong implementation and enforcement** of tenant protection and replacement unit requirements.
- **Addresses additional tenant protection issues**, including those related to renovations and tenant harassment.
- Developed through a **collaborative process** involving City leadership, tenant and housing advocacy organizations, and coordination with other City departments.

LEADERSHIP

- Supervisor Chyanne Chen and her office (District 11)
- Planning Department
- Rent Board
- Mayor's Office

COMMUNITY

- Race and Equity in All Planning Coalition (REP)
- SF Anti-displacement Coalition
- Other community members

Planning Commission Recommendation

- The Planning Commission adopted a **recommendation for approval with modifications**, which included amendments raised by Supervisor Chen and Supervisor Melgar, as well as Department-recommended modifications.
- This presentation reflects the recommended modifications.

2.

PROPOSED ORDINANCE: TENANT PROTECTIONS RELATED TO RESIDENTIAL DEMOLITIONS AND RENOVATIONS

Key Amendments to the Planning Code

STRONGER ENFORCEMENT

- **Planning's broader demolition definition as the trigger for compliance**
- **Objective CUA findings**
- Tying tenant protections to permitting processes
- Replacement unit tracking

TENANT PROTECTIONS

- **Broader definition of "Existing Occupant"**
- **Greater Relocation Benefits for lower-income tenants**
- **Extensive and accessible tenant notification**
- Expanded Right of First Refusal
- Relocation plan requirement
- Private Right of Action

REPLACEMENT UNITS

- **All Protected Units must be replaced with Comparable Units**
- **One-to-one replacement of all Protected Units with a combination of affordable and rent controlled housing**

PROPOSED PLANNING CODE AMENDMENTS: ENFORCEMENT

“Residential Demolition” Definition

- Establish the **Planning Code’s “Residential Demolition”** as the definition for demolition **for all State Laws**, including TPO requirements.
- **RECOMMENDED MODIFICATION:** Changes to “Residential Demolition” definition
 - Replacing complex lineal-foot measurements with square footage to create a clearer, more reliable demolition threshold for applicants and staff.
 - Allowing partial full building lifts without classifying them as demolitions, ensuring consistent treatment of projects.
 - Analysis of past projects shows the amended definition would catch more projects as demolitions, strengthening review and housing protection.

Compliant Objective Conditional Use Authorization Criteria

- The proposed ordinance **does not change** the standards that trigger a Conditional Use Authorization (CUA)
 - **RECOMMENDED MODIFICATION:** 10-year lookback for affordable housing and rent controlled unit status
- **OTHER RECOMMENDED MODIFICATIONS:** Planning Commission also considered proposed amendments by Supervisors to adjust the percentage threshold, and to make some of these criteria into requirements.
 - The Planning Commission recommended all modifications, but **conciliation is needed for these modifications**

Compliant Objective Conditional Use Authorization Criteria

- **PROPOSED LEGISLATION:** Meet 80% of the Planning Commission findings **or be denied:**

(A) No open or unabated violations.

(G) Complies with notices and relocation plan.

(B) No changes to character defining features.

(H) Increases dwelling units and bedrooms on-site.

(C) Increases the number of rent controlled units.

(I) No tenant harassment findings.

(D) Does not demolish permanently affordable housing or replaces it.

(J) Compliant Buyout Agreements.

(E) Increases the number of permanently affordable housing units.

(K) No Owner-Move-In evictions withing the past 3 years.

(L) Project is a rental.

(F) If three units or more, increases the number of two or more-bedroom units on-site.

Compliant Objective Conditional Use Authorization Criteria

- **RECOMMENDED MODIFICATION (needs to be reconciled):** Meet **70%** of the Planning Commission findings **or be denied:**

(A) No open or unabated violations.

(B) No changes to character defining features.

(C) Increases the number of rent controlled units.

(D)MERGE: Does not demolish permanently affordable housing or increases the number of permanently affordable housing units.

(E) If three units or more, increases the number of two or more-bedroom units on-site.

REQUIREMENT: Complies with notices and relocation plan.

(F) Increases dwelling units and bedrooms on-site.

REQUIREMENT: No tenant harassment findings.

REQUIREMENT: Compliant Buyout Agreements.

(G) No Owner-Move-In evictions withing the past 3 years.

(H) Project is a rental.

Other Enforcement Changes

- **ACCOUNTABILITY: Tying tenant protections to the permitting process**, making approvals contingent on meeting TPO requirements:
 - Complete application cannot be accepted without a compliant relocation plan
 - Demolition permit cannot be issued without compliant relocation plan and benefits
 - Certificate of occupancy cannot be issued unless there is documented right of first refusal
- **TRANSPARENCY: Tracking** newly created protected units **on PIM**.

PROPOSED PLANNING CODE AMENDMENTS: TENANT PROTECTIONS

Broader Definition of “Existing Occupant”

DEFINITION UNDER CURRENT LAWS:

- Tenants occupying units at the time a **development application** requiring demolition is submitted

PROPOSED DEFINITION:

- Tenants in occupancy at the time of **preliminary application or development application** (whichever happens first),
- Tenants who last vacated the unit **due to tenant harassment and non-compliant Buyout Agreements** (within the last 5 years)
- Tenants who last vacated the unit **due to an Owner Move In eviction** (within the last three years)
- Tenants that were **temporarily evicted for a Capital Improvement** project that later triggered demolition.
- **RECOMMENDED MODIFICATION:** Tenants who last vacated the unit **due to an Ellis Act eviction** (within the last five years)

Greater Relocation Benefits for Lower-Income Households

- SB 330 requires **relocation benefits for lower-income households** equivalent to State relocation law requirements.
- Lower-income households, as all other tenants, would be entitled to local relocation benefits equivalent to the **Ellis Act relocation payments**.
- **ADDITIONAL RELOCATION BENEFITS:** for lower-income households **for up to 39 months** based on the formula below.

$$\begin{array}{ccccccc} \text{Fair Market Rent} & & & & & & \\ \text{(Section 8) by} & & & & & & \\ \text{Unit Size} & - & \text{Affordable} & = & \text{Additional} & \times & 39 & = & \text{Maximum} \\ & & \text{Rent by Unit} & & \text{Monthly} & & \text{months} & & \text{Additional} \\ & & \text{Size and AMI} & & \text{Payment} & & & & \text{Payment} \end{array}$$

Extensive and Accessible Tenant Notification

Application Period

Notice Preliminary Application Submittal*

Notice of Right of Relocation Benefits & Notice of Right of First Refusal

Notice Complete Application Submittal*

Notice of Planning Approval Letter Issuance*

Posted Notice at Site

Notice of Right to Return if Demolition Does Not Proceed

Construction Period

Notice of Right to Remain

Notice at Major Milestones:

- Construction
- Biannual
- Certificate of Occupancy

Notice of Replacement Unit Availability for Right of First Refusal

Lease Up Period

Tenant Response (30 days)

Unit Hold (60 days)

*Notices sent by Planning

Other Crucial Tenant Protections

- **PRIOR RENTAL RATE:** Lower income tenants may return **at prior rental rate**, with future rent increases **subject to rent control**; these tenants would **be exempt from Inclusionary Housing requirements**.
- **EXTENDED RIGHT OF FIRST REFUSAL:** Above lower-income tenants would **have a right of first refusal** for a new market-rate rental unit; these units would be **subject to rent control**.
- **PRIVATE RIGHT OF ACTION:** for tenants or their representative organizations to seek **monetary damages and/or injunctive relief** against **project sponsors that violate TPO requirements**.
- **RECOMMENDED MODIFICATION:** **explicitly requiring** hiring a relocation specialist.

PROPOSED PLANNING CODE AMENDMENTS: REPLACEMENT UNITS

New Rules for Replacement Units

- **COMPARABLE UNITS:** All Protected Units to be replaced as described below.
 - Same number of bedrooms and full bathrooms
 - At least 90% of square footage in original unit
 - Accessible when applicable
- **ONE-TO-ONE REPLACEMENT OF PROTECTED UNITS:**

Existing Protected Unit	Replacement Unit
Permanently affordable unit	Permanently affordable unit*
Unit occupied by a lower-income household	Permanently affordable unit*
Rent controlled unit	Rent controlled unit/BMR at 80%

*Affordable for the life of the project

PROPOSED ADMINISTRATIVE CODE AMENDMENTS: RENT ORDINANCE

Key Amendments to the Rent Ordinance

CHANGES TO EVICTIONS

- **Additional monthly payments for lower-income households for up to 39 months** when a temporary eviction due to **capital improvements** is extended past the initial three months.
- **RECOMMENDED MODIFICATION:** Require **disclosure of intent to redevelop** when filing a Notice of Intent to Withdraw Rental Units (**Ellis Act**)

TENANT HARASSMENT

- Actionable administrative Rent Board **hearings on tenant harassment**, with findings that could **preserve tenant rights** if a property they vacated due to this reason was **later redeveloped**.
- **RECOMMENDED MODIFICATION:** Finding of severe impacts **to become a finding** during a hearing, instead of a requirement for a hearing.

BUYOUT AGREEMENTS

- **Disclosures** regarding impacts to tenants' eligibility under the TPO at the time of **buyout negotiation and in the tenant notice**.

4.

ACKNOWLEDGMENTS

ACKNOWLEDGEMENTS

- The proposed ordinance is an example of collaboration between elected officials, City agencies and the community.
- We would like to thank all those involved for their valuable contributions to the ordinance.

City Leadership:

- Supervisor Chyanne Chen, District 11
- Charlie Sciammas, D11 Legislative Aide
- Joey Koomas, Rent Board
- Rachael Tanner, Planning
- Malena Leon-Farrera, Planning

Community:

- Race and Equity in All Planning
- SF Anti-displacement Coalition
- Community members, such as Georgia Schuttish
- MOHCD Eviction Prevention Stakeholders

City Attorney:

- Audrey Pearson, City Attorney
- Manu Pradhan, City Attorney

Rent Board:

- Christina Varner
- Erin Katayama
- Aaron Morrison
- Jennifer Rakowski

SF PLANNING:

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DBI

- Tate Hanna
- Matthew Greene
- Jimmy Cheung

Other Jurisdictions:

- Los Angeles, Oakland and Berkeley

Thank you!



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Art by Michelle McNeil, Human Rights Commission

**WHEN I BECOME A SENIOR CITIZEN
I WANT TO BE ABLE TO **STAY IN SF****



Relocation Benefits: Monthly Payments (2025)

	SRO	STUDIO	1BR	2BR	3BR	4BR	5BR
15% OF MEDIAN	\$ 1,740	\$ 2,321	\$ 2,868	\$ 3,455	\$ 4,380	\$ 4,647	\$ 5,392
20% OF MEDIAN	\$ 1,638	\$ 2,185	\$ 2,712	\$ 3,280	\$ 4,186	\$ 4,437	\$ 5,166
25% OF MEDIAN	\$ 1,535	\$ 2,047	\$ 2,556	\$ 3,105	\$ 3,991	\$ 4,225	\$ 4,940
30% OF MEDIAN	\$ 1,433	\$ 1,911	\$ 2,401	\$ 2,928	\$ 3,796	\$ 4,015	\$ 4,714
35% OF MEDIAN	\$ 1,331	\$ 1,775	\$ 2,245	\$ 2,753	\$ 3,601	\$ 3,805	\$ 4,487
39% OF MEDIAN	\$ 1,249	\$ 1,666	\$ 2,120	\$ 2,613	\$ 3,445	\$ 3,637	\$ 4,307
40% OF MEDIAN	\$ 1,229	\$ 1,639	\$ 2,088	\$ 2,578	\$ 3,406	\$ 3,595	\$ 4,262
45% OF MEDIAN	\$ 1,126	\$ 1,502	\$ 1,933	\$ 2,403	\$ 3,211	\$ 3,384	\$ 4,036
50% OF MEDIAN	\$ 1,024	\$ 1,366	\$ 1,777	\$ 2,227	\$ 3,016	\$ 3,174	\$ 3,810
52% OF MEDIAN	\$ 983	\$ 1,311	\$ 1,715	\$ 2,157	\$ 2,939	\$ 3,090	\$ 3,720
55% OF MEDIAN	\$ 922	\$ 1,230	\$ 1,621	\$ 2,052	\$ 2,822	\$ 2,964	\$ 3,584
60% OF MEDIAN	\$ 820	\$ 1,094	\$ 1,466	\$ 1,877	\$ 2,627	\$ 2,753	\$ 3,357
65% OF MEDIAN	\$ 718	\$ 957	\$ 1,310	\$ 1,702	\$ 2,432	\$ 2,543	\$ 3,132
70% OF MEDIAN	\$ 615	\$ 821	\$ 1,153	\$ 1,526	\$ 2,237	\$ 2,333	\$ 2,906
72% OF MEDIAN	\$ 574	\$ 766	\$ 1,091	\$ 1,456	\$ 2,160	\$ 2,248	\$ 2,815
74% OF MEDIAN	\$ 533	\$ 711	\$ 1,028	\$ 1,386	\$ 2,081	\$ 2,164	\$ 2,725
75% OF MEDIAN	\$ 512	\$ 684	\$ 997	\$ 1,351	\$ 2,042	\$ 2,122	\$ 2,680
80% OF MEDIAN	\$ 410	\$ 547	\$ 842	\$ 1,176	\$ 1,847	\$ 1,912	\$ 2,454

Relocation Benefits: Maximum Payments (2025)

	SRO	STUDIO	1BR	2BR	3BR	4BR	5BR
15% OF MEDIAN	\$ 67,860	\$ 90,519	\$ 111,852	\$ 134,745	\$ 170,820	\$ 181,233	\$ 210,288
20% OF MEDIAN	\$ 63,882	\$ 85,215	\$ 105,768	\$ 127,920	\$ 163,254	\$ 173,043	\$ 201,474
25% OF MEDIAN	\$ 59,865	\$ 79,833	\$ 99,684	\$ 121,095	\$ 155,649	\$ 164,775	\$ 192,660
30% OF MEDIAN	\$ 55,887	\$ 74,529	\$ 93,639	\$ 114,192	\$ 148,044	\$ 156,585	\$ 183,846
35% OF MEDIAN	\$ 51,909	\$ 69,225	\$ 87,555	\$ 107,367	\$ 140,439	\$ 148,395	\$ 174,993
39% OF MEDIAN	\$ 48,711	\$ 64,974	\$ 82,680	\$ 101,907	\$ 134,355	\$ 141,843	\$ 167,973
40% OF MEDIAN	\$ 47,931	\$ 63,921	\$ 81,432	\$ 100,542	\$ 132,834	\$ 140,205	\$ 166,218
45% OF MEDIAN	\$ 43,914	\$ 58,578	\$ 75,387	\$ 93,717	\$ 125,229	\$ 131,976	\$ 157,404
50% OF MEDIAN	\$ 39,936	\$ 53,274	\$ 69,303	\$ 86,853	\$ 117,624	\$ 123,786	\$ 148,590
52% OF MEDIAN	\$ 38,337	\$ 51,129	\$ 66,885	\$ 84,123	\$ 114,621	\$ 120,510	\$ 145,080
55% OF MEDIAN	\$ 35,958	\$ 47,970	\$ 63,219	\$ 80,028	\$ 110,058	\$ 115,596	\$ 139,776
60% OF MEDIAN	\$ 31,980	\$ 42,666	\$ 57,174	\$ 73,203	\$ 102,453	\$ 107,367	\$ 130,923
65% OF MEDIAN	\$ 28,002	\$ 37,323	\$ 51,090	\$ 66,378	\$ 94,848	\$ 99,177	\$ 122,148
70% OF MEDIAN	\$ 23,985	\$ 32,019	\$ 44,967	\$ 59,514	\$ 87,243	\$ 90,987	\$ 113,334
72% OF MEDIAN	\$ 22,386	\$ 29,874	\$ 42,549	\$ 56,784	\$ 84,240	\$ 87,672	\$ 109,785
74% OF MEDIAN	\$ 20,787	\$ 27,729	\$ 40,092	\$ 54,054	\$ 81,159	\$ 84,396	\$ 106,275
75% OF MEDIAN	\$ 19,968	\$ 26,676	\$ 38,883	\$ 52,689	\$ 79,638	\$ 82,758	\$ 104,520
80% OF MEDIAN	\$ 15,990	\$ 21,333	\$ 32,838	\$ 45,864	\$ 72,033	\$ 74,568	\$ 95,706

Findings Analysis: Proposed Ordinance

[illegible]

Findings Analysis: Proposed Ordinance + Staff Modifications

[illegible]

Findings Analysis: Proposed Ordinance + Staff Modifications + Sup. Melgar's

Proposed ordinance (70% threshold) + staff modifications	Demo Units	Units built	BMR, AFF or RC built	No notice of violation from Planning or DBI for 12 months	No impact to listed buildings	Increases rent controlled units	MERGE: Does not require the demolition of aff housing or increases aff units	DELETE: Increases the number of affordable units	EDIT: Increases # of two or more bedrooms, if 5 or more units	REQUIREMENT: Timely and complaint notices and relocation plan	Net increase of dwelling units and bedrooms	REQUIREMENT: No tenant harassment findings	REQUIREMENT: Compliant Buyout Agreements	Project is a rental	No OMI Eviction within past 36 months	Total Count	Sum of Findings	% met
1x3-bed, 2xstudios	1 SFH	3	0	1	1	0	1		1		1			0	1	8	6	75%
1x3-bed, 2xstudios	1 SFH	4	0	1	1	0	1		1		1			0	1	8	6	75%
9 condos	1 SFH	9	0	1	1	0	1		1		1			0	1	8	6	75%
9 condos	1 SFH (P)	9	1 BMR	1	1	0	1		1		1			0	1	8	6	75%
9 rentals	1 SFH (P)	9	1 AFF	1	1	0	1		1		1			1	1	8	7	88%
1151 Washington	1 SFH	10	1 AFF	1	1	0	1		1		1			0	1	8	6	75%
15 condos (FO)	1 SFH	15	0	1	1	0	1		1		1			0	1	8	6	75%
15 condos	1 SFH	15	2 BMR	1	1	0	1		1		1			0	1	8	6	75%
15 rentals (FO)	1 SFH	15	0	1	1	0	1		1		1			1	1	8	7	88%
15 rentals	1 SFH	15	2 AFF	1	1	0	1		1		1			1	1	8	7	88%
9 condos	3 RC	9	3 BMR	1	1	0	1		1		1			0	1	8	6	75%
9 rentals	3 RC	9	3 RC	1	1	0	1		1		1			1	1	8	7	88%
9 rentals	3 RC	9	2 RC, 1 AFF	1	1	0	1		1		1			1	1	8	7	88%
25 rentals	3 RC	25	25 RC	1	1	1	1		1		1			1	1	8	8	100%
25 condos (FO)	3 RC	25	3 BMR	1	1	0	1		1		1			0	1	8	6	75%
25 rentals (FO)	3 RC	25	3 RC	1	1	0	1		1		1			1	1	8	7	88%
842 California	2 C, 3 RC	33	5 AFF	1	1	0	1		1		1			0	1	8	6	75%
618 Octavia	4 RC	40	8 BMR, 1 AFF	1	1	0	1		1		1			0	1	8	6	75%
9 condos	3 R	9	0	1	1	0	1		1		1			0	1	8	6	75%
25 rentals	3 R	25	25 RC	1	1	1	1		1		1			1	1	8	8	100%
25 condos (FO)	3 R	25	0	1	1	0	1		1		1			0	1	8	6	75%
25 rentals (FO)	3 R	25	0	1	1	0	1		1		1			1	1	8	7	88%

SB 330 Demolition Requirements

1. **No net loss** of Residential Units
2. **Replacement** of existing or demolished **Protected Units** at an **equivalent size** and at an **affordable rent or price** (55-year affordability).
3. **Protections for Existing Occupants:**
 1. **Right to Remain** up to 6 months prior to demolition
 2. **Relocation Benefits** for lower-income households according to State law
 3. **Right of First Refusal** for lower-income households
 4. **Right to Return If Demolition Does Not Proceed** at adjusted prior rental rate

Protected Units:

Within last 5 years:

- Occupied by lower-income households
- Deed restricted affordable
- Rent controlled

Within last 10 years:

- Ellis Act evictions

Private Right Of Action

- Proposed **framework for aggrieved tenants and/or organizations representing them** for pursuing civil action for **monetary damages and/or injunctive relief** against **project sponsors that violate their rights** pursuant the TPO requirements.
 - Civil penalties of up to \$10,000 per violation
 - Treble damages for willful violations
 - Civil penalties up to \$5,000 per violation if the tenant is 65 years or older or disabled
 - For violations of Right to Return if Demolition Does Not Proceed, punitive damages in an amount that does not exceed the total rent the Existing Occupant owed for the six months before they vacated the unit
 - The prevailing party shall be awarded reasonable attorneys' fees and costs.

Extended Relocation Assistance for Capital Improvement

- Additional monthly payments to lower-income households would be required if a temporary eviction due to capital improvements is extended past three months, for up to 39 months.
- The TPO assumes initial Capital Improvement payments cover moving expenses and the first three months of relocation assistance for a comparable unit
- Proposed **expanded relocation benefits** would be based on this formula:

