

1 [Administrative Code - Extension Of Temporary Tenant Protections Due To COVID-19]

2

3 **Ordinance amending the Administrative Code to extend the COVID-19 based limit on**  
4 **residential evictions, which allows evictions only if based on the non-payment of rent**  
5 **or violence or health and safety issues, from June 30, 2021, to September 30, 2021.**

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

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

14 Section 1. Background, Purpose, and Findings.

15 (a) On February 25, 2020, the Mayor proclaimed a state of emergency due to the  
16 COVID-19 crisis, and subsequently imposed a moratorium on residential evictions to protect  
17 tenants and help contain the spread of the virus, as reflected in the Twelfth Supplement to the  
18 emergency proclamation, which was dated April 30, 2020. Paragraph 1(c) of the Twelfth  
19 Supplement limited the ability of landlords to recover possession of a rental unit unless  
20 necessary due to violence, threats of violence, or health and safety issues, through two  
21 months after its expiration. After issuing the Twelfth Supplement, which was originally set to  
22 expire at the end of June 2020, the Mayor extended it several times, one month at a time.

23 (b) Due to the ongoing need to keep people safely housed and to avoid the uncertainty  
24 of month-to-month extensions, the Board of Supervisors with the Mayor's approval adopted  
25 Ordinance No. 216-20, which amended the Administrative Code to extend the protections that

1 had been in paragraph 1(c) through March 31, 2021, and then adopted Ordinance No. 29-21,  
2 which extended those protections for another three months through June 30, 2021.

3 (c) Due to the continuing COVID-19 crisis and the spread of new variations of the  
4 virus, the Board of Supervisors finds it is essential to extend the protections effected by  
5 Ordinance No. 29-21 for another three months beyond the current end date of June 30, 2021,  
6 so that its protections last through September 30, 2021. This ordinance is not intended to  
7 affect or impair any other existing eviction protections, including state and local protections for  
8 tenants who were unable to pay rent or other financial obligations of tenancy that came due  
9 between March 1, 2020 and June 30, 2021.

10  
11 Section 2. Chapter 37 of the Administrative Code is hereby amended by revising  
12 Section 37.9, to read as follows:

13 **SEC. 37.9. EVICTIONS.**

14 Notwithstanding Section 37.3, this Section 37.9 shall apply as of August 24, 1980, to  
15 all landlords and tenants of rental units as defined in Section 37.2(r).

16 \* \* \* \*

17 (n) **Additional Just Cause Requirements Due to COVID-19.**

18 (1) No landlord shall endeavor to recover possession of a rental unit on or  
19 before September ~~June~~ 30, 2021 unless necessary due to violence, threats of violence, or  
20 health and safety issues. This limitation shall be in addition to the just cause requirements set  
21 forth in Section 37.9(a), and shall apply to all rental units, including those that are otherwise  
22 exempt from just cause requirements pursuant to Section 37.9(b). However, this additional  
23 limitation shall not apply to evictions due to unpaid rent or any other unpaid financial obligation  
24 of a tenant under the tenancy that came due between March 1, 2020 and June 30, 2021,  
25 inclusive; or to evictions under Section 37.9(a)(13).

1 (2) The protections in subsection (1) shall also apply to units where the rent is  
2 controlled or regulated by the City, notwithstanding Section 37.2(r)(4), including without  
3 limitation privately-operated units controlled or regulated by the Mayor’s Office of Housing and  
4 Community Development and/or the Department of Homelessness and Supportive Housing.

5 (3) This Section 37.9(n) is intended to limit evictions until ~~October~~July 1, 2021,  
6 and shall therefore apply to all residential dwelling units described in subsections (1) and (2),  
7 including but not limited to those where a notice to vacate or quit was pending as of the date  
8 that this Section 37.9(n) first took effect and regardless whether the notice was served before  
9 or after September 15, 2020.

10 (4) This Section 37.9(n) shall expire by operation of law on ~~October~~July 1, 2021,  
11 unless extended by ordinance. Upon expiration, the City Attorney shall cause this Section  
12 37.9(n) to be removed from the Administrative Code.

13  
14 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
15 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
16 numbers, letters, punctuation marks, charts, diagrams, or any other constituent parts of the  
17 Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board  
18 amendment additions, and Board amendment deletions in accordance with the “Note” that  
19 appears under the official title of the ordinance.

20  
21 Section 4. Severability. If any section, subsection, sentence, clause, phrase, or word  
22 of this ordinance, or any application thereof to any person or circumstance, is held to be  
23 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision  
24 shall not affect the validity of the remaining portions or applications of the ordinance. The  
25 Board of Supervisors hereby declares that it would have passed this ordinance and each and

1 every section, subsection, sentence, clause, phrase, and word not declared invalid or  
2 unconstitutional without regard to whether any other portion of this ordinance or application  
3 thereof would be subsequently declared invalid or unconstitutional.  
4

5 Section 5. Effective Date. This ordinance shall become effective 30 days after  
6 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
7 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
8 of Supervisors overrides the Mayor's veto of the ordinance.

9  
10 APPROVED AS TO FORM:  
11 DENNIS J. HERRERA, City Attorney

12 By: /s/  
13 MANU PRADHAN  
14 Deputy City Attorney  
15 n:\govern\as2020\2100098\01529883.docx