

**From:** [Angulo, Sunny \(BOS\)](#)  
**To:** [Brad Hirn](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [MelgarStaff \(BOS\)](#)  
**Cc:** [Jalipa, Brent \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** RE: 4/25 Land Use -- Item 220363, ILO Program Updates  
**Date:** Monday, April 25, 2022 11:25:53 AM

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Thanks, Brad.

Copying the Committee Clerk, as I assume you would like this public correspondence included in the official file for the hearing. Please confirm!

Best,  
Sunny

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**From:** Brad Hirn <[brad@hrccsf.org](mailto:brad@hrccsf.org)>  
**Sent:** Sunday, April 24, 2022 6:58 PM  
**To:** Peskin, Aaron (BOS) <[aaron.peskin@sfgov.org](mailto:aaron.peskin@sfgov.org)>; Preston, Dean (BOS) <[dean.preston@sfgov.org](mailto:dean.preston@sfgov.org)>; MelgarStaff (BOS) <[melgarstaff@sfgov.org](mailto:melgarstaff@sfgov.org)>  
**Subject:** 4/25 Land Use -- Item 220363, ILO Program Updates

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Dear Supervisors Peskin, Preston, and Melgar,

I hope you're doing well. On behalf of Housing Rights Committee of SF, I want to offer brief thoughts and a recommendation ahead of Monday's hearing on Intermediate Length Occupancy (ILO) rentals and enforcement of the ILO ordinance.

Since the adoption of the ILO ordinance, HRCSF has been in touch with the Rent Board, the Planning Department, and the Office of Short-Term Rentals regarding enforcement, in particular the prohibition of ILOs in rent-controlled buildings. The Controller's report indicates that more than one third, possibly closer to 50%, of the ILO sample is from buildings built before 1979, meaning that these ILO units are likely in rent-controlled buildings.

We have heard from tenants in rent-controlled buildings who suspect that their landlords are operating ILOs. To be clear, these are not the ILO residents themselves, but rather existing tenants who share a goal of seeing their landlords comply with the ILO ordinance.

After speaking with the Rent Board, the Planning Department, and the Office of Short-Term Rentals, it is clear that there is no enforcement remedy for existing tenants in rent-controlled buildings who are concerned about ILOs in their buildings.

To address this gap, HRCSF recommends a **tenant-initiated petition process at the Rent Board**. This process could unfold a number of ways, including:

- A tenant-initiated petition that immediately triggers a hearing with an Administrative Law Judge to investigate the landlord's use of ILOs in the buildings, or
- Before a hearing, a tenant-initiated request for a declaration from the landlord, submitted to the Rent Board and sent to the tenants, stating whether or not the landlord uses ILOs in their building. If the tenant disagrees with the declaration, then the tenant can request a hearing (similar to the recently enacted ADU ordinance on housing services).

Either way, HRCSF believes strongly in tenant-initiated remedies outside of civil court. For any remedy, we ask that certified tenant associations also be considered valid petitioners.

Thank you for your attention to this issue, and please let me know if you have any questions about HRCSF's position.

Sincerely,  
Brad Hirn  
Housing Rights Committee of SF  
Cell: 773-892-8844