

1 [Rental Subsidy Program for Low-Income Families]

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3 **Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code**
4 **creating the Rental Subsidy Program for Low-Income Families that establishes a need-**
5 **based local housing subsidy for homeless families subject to the fiscal and budgetary**
6 **provisions of the Charter.**

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

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

11 Section 1. The San Francisco Administrative Code is hereby amended by adding
12 Sections 48.1 through 48.7, to read as follows:

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14 **SEC. 48.1. FINDINGS.**

15 *The Board of Supervisors finds and declares the following:*

16 *(a) The City and County of San Francisco is committed to providing permanent and stable*
17 *housing for homeless families; and*

18 *(b) According to the San Francisco Homeless Prenatal Program, there are at least 2000*
19 *homeless families living in San Francisco; and*

20 *(c) There are currently approximately 1560 family members living in SRO hotels, including*
21 *760 children; and*

22 *(d) Living in homeless shelters, SRO hotels and overcrowded conditions has severe negative*
23 *impacts on the health and well-being of children, including serious and chronic health problems,*
24 *developmental delays, mental health problems, academic failures, behavioral problems, and hunger*
25 *and poor nutrition; and*

1 (e) In 2006, the San Francisco Board of Supervisors appropriated money to the Human
2 Services Agency (ordinance number 71-06) to fund funded a local housing subsidy (ordinance
3 number 71-06) which that provided 300 families with a rental subsidy of \$500 per month that and
4 assisted homeless families with permanent and stable housing; the Board of Supervisors then approved
5 the subsidy in subsequent years; and

6 (f) Under HSA's regulations, Tthe current subsidies expire one year from the time the
7 family began receiving the subsidy, with the possibility that the subsidy be extended up to two years;
8 and

9 (g) The Board of Supervisors recognizes that this the current subsidy program does not
10 meet the needs of the majority of extremely low-income families and that the City and County of San
11 Francisco should make other efforts to provide services and support to this population.

12 **SEC. 48.2. DEFINITIONS.** For purposes of this Ordinance only, the following definitions apply:

13 (a) "Household" means any person or persons who reside or intend to reside in the same
14 housing unit.

15 (b) "Rental Subsidy Program" means all of the City's general fund programs that
16 provide ongoing subsidies to San Francisco families that need financial assistance to make
17 their monthly payments for rental housing; provided, however, that the term "Rental Subsidy
18 Program" shall not include the City's "First Avenues Program," which provides rental housing
19 subsidies through the auspices of the Hamilton Family Center.

20 (b) "Extremely low-income" means a household whose combined annual gross
21 income for all members does not exceed 30% of the San Francisco median income.

22 (c) "Low-income" means a household whose combined annual gross income for all
23 members is between 31% and 60% of the San Francisco median income.

24 (d) "San Francisco median income" means a household whose combined annual
25 gross income for all members does not exceed 100 percent of the median income for the City

1 and County of San Francisco, as calculated by the Mayor's Office of Housing using data from
2 the United States Department of Housing and Urban Development (HUD) and adjusted for
3 household size or, if data from HUD is unavailable, calculated by the Mayor's Office of
4 Housing using other publicly available and credible data and adjusted for household size, as
5 defined in San Francisco Planning Code section 315.1(17), as may be amended from time to
6 time.

7 **SEC. 48.3. ADMINISTRATION OF PROGRAM.**

8 The San Francisco Human Services Agency (HSA) shall administer the Rental Subsidy Program
9 for Low-Income Families ("Rental Subsidy Program"), which shall not include the City's "First
10 Avenues Program," a program that provides rental housing subsidies through the auspices of
11 the Hamilton Family Center. The Rental Subsidy Program shall be funded through the general
12 fund, subject to the Annual Appropriations Ordinance. HSA shall adopt rules and regulations to
13 implement the Rental Subsidy Program consistent with this ordinance. HSA shall ensure that
14 contractors administering this program communicate with families eligible ~~to~~for the Rental Subsidy
15 Program in the families' primary languages. In addition, HSA shall administer the program so that
16 eligible families are served on a first-come, first-served basis until the total amount of money
17 designated for this program in the Annual Appropriations Ordinance is gone. Families receiving a
18 rental subsidy through the original program as administered by HSA prior to the effective date
19 of this Ordinance shall be deemed to have applied for the Rental Subsidy Program and to
20 have received a subsidy under the Rental Subsidy Program as of the date that they received
21 their first rental subsidy from the City.

22 **SEC. 48.4. ELIGIBILITY REQUIREMENTS OVERSIGHT COMMITTEE.**

23 The HSA shall appoint the members of an oversight committee to oversee the Rental
24 Subsidy Program and make recommendations to the HSA, Mayor, and Board of Supervisors
25 regarding policies and procedures of the Rental Subsidy Program. The oversight committee

1 shall be made up of one representative of an agency responsible for administering the
2 subsidy on behalf of the City, two representatives of organizations advocating on behalf of
3 homeless families, and two individuals who have experienced homelessness with their
4 children. The oversight committee must meet at least four times a year. The oversight
5 committee shall issue a report on the progress of the subsidy to the Board of Supervisors,
6 Mayor and the Human Services Agency two times a year, including number of families
7 served, length of time on subsidy, outcomes, number of unused slots, number of families
8 seeking subsidies that were turned away, changes in policy, and other pertinent information.
9 HSA shall provide staff and other administrative support, as necessary, to the oversight
10 committee.

11 Subject to the fiscal and budgetary provisions of the Charter, households will be eligible for
12 the Rental Subsidy Program if they meet San Francisco's definition of homelessness as
13 adopted by the San Francisco Board of Supervisors in resolution number 997-01, to wit:
14 "families who lack a fixed, regular, and adequate nighttime residence and who have a primary
15 nighttime residence in one or more of the following categories: shelter, street, vehicle, make-
16 shift, doubled-up, and transitional." In addition, households shall be eligible for this program if
17 they reside in SRO hotels, severely overcrowded conditions, or if they are low-income or
18 extremely low-income families at immediate risk of eviction and paying over 85% of their
19 income in rent.

20 (b) — Minimum income criteria for this program shall be flexible and shall take into account
21 current living expenses. As a general guideline, once a household is receiving the subsidy,
22 no more than 60% of the household's gross income shall go towards rent. Households may,
23 however, be allowed to pay a higher percentage of their income to rent if they have
24 demonstrated the ability to do so.

25 (c) — Eligibility to this program shall not be based on a minimum length of employment.

1 (d) Families currently receiving a subsidy shall be deemed to have applied for the Rental
2 Subsidy Program.

3 **SEC. 48.5. AMOUNT OF SUBSIDY; TIME LIMITS.**

4 Subject to the fiscal and budgetary provisions of the Charter, the amount of the subsidy shall
5 not exceed \$500 per month per household and shall be based on the needs of the family. Families may
6 remain in the Rental Subsidy Program for up to five years. The amount of the subsidy shall
7 decrease, "dollar for dollar," as the household's income increases.

8 **SEC. 48.6. LIMITATION OF LIABILITY.**

9 By adopting this Article, the City and County of San Francisco is assuming an undertaking only
10 to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an
11 obligation or duty for breach of which it is liable in money damages or any other relief to any person
12 who claims that such a breach proximately caused injury or damages, including but not limited to any
13 and all claims by landlords or tenants affected by subsidies offered under this program.

14 **SEC. 48.7. SEVERABILITY.**

15 If any section, subsection, clause, phrase or portion of this Article is for any reason held invalid
16 or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall
17 be deemed a separate, distinct and independent provision and such holding shall not affect the validity
18 of the remaining portions thereof.

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

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23 By: _____
24 MARIAM MORLEY
25 Deputy City Attorney

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