

File No. 110776

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules

Date 7/14/11

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
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| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
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OTHER

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Completed by: Linda Wong

Date 7/8/11

Completed by: _____

Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

110776

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BOARD OF SUPERVISORS
SAN FRANCISCO

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BY <u>RC</u> PROPOSED INITIATIVE ORDINANCE TO BE SUBMITTED BY FOUR OR MORE SUPERVISORS TO THE VOTERS AT THE NOVEMBER 8, 2011 ELECTION. [Under Charter Sections 3.100(15) and 2.113(b), this measure must be submitted to the Board of Supervisors and filed with the Department of Elections no fewer than 45 days prior to deadline for submission of such initiatives to the Department of Elections set in Municipal Elections Code Section 300(b)]	DEPARTMENT OF ELECTIONS
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[Administrative Code—Fair Shelter Initiative]

Ordinance amending the San Francisco Administrative Code by amending Section 20.57.1, 20.76.3, 20.106.2, 20.206.3, and 20.228, to: 1) provide that homeless shelters shall not constitute "housing" for purposes of setting benefit levels under the Care Not Cash Initiative; and 2) set an operative date.

NOTE: Additions are single-underline italics Times New Roman; deletions are ~~strike through italics Times New Roman~~.

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

Section 1. The San Francisco Administrative Code is hereby amended by amending Sections 20.57.1, 20.76.3, 20.106.2, 20.206.3, and 20.228, to read as follows:

SEC. 20.57.1. HOUSING.

(a) "Housing" shall mean single occupancy residential hotels, master lease rooms, transitional housing, supportive housing programs, or residential substance abuse and mental health treatment facilities. "Housing" shall not include a shelter. "Shelter" shall mean a facility, including a resource center, operated under a contract with the City, to provide temporary emergency shelter services for homeless single adults or families.

(b) There shall be no reduction in the amount of General Assistance for which an applicant or recipient is eligible because he or she shares housing with others who are not

1 members of the applicant's family as defined in Section 20.57(a). All applicants and recipients
2 shall be required to present a verifiable rent receipt. If the applicant or recipient is not the
3 owner or prime lessee of the premises, a verifiable rent receipt signed by the owner or prime
4 lessee may provide evidence of the applicant's or recipient's place of residence and monthly
5 share of housing costs.

6 (c) When an applicant or recipient obtains rent-free housing, such housing shall be
7 valued according to the Income-in-Kind Values Chart set forth in Title 22 of the California
8 Code of Regulations, Section 50511 (the "Income-in-Kind Chart"), rather than at fair market
9 value. The value of the rent-free housing, which is presumed to include utilities, as determined
10 under the Income-in-Kind Chart, shall be deducted from the maximum monthly grant amount.
11 If the applicant or recipient receives rent-free housing, but pays for utilities, the applicant or
12 recipient must present a verifiable bill for utilities at that address, and a verifiable receipt for
13 payment of any portion of that utility bill.

14 (d) Verified payments made directly to a housing provider on behalf of an applicant or
15 recipient for the entire amount of the rent and/or utilities, or rent-free housing, or housing
16 received in exchange for work, shall be assigned an in-kind value as specified by the Income-
17 in-Kind Chart, and that value shall be deducted from the maximum monthly grant for which
18 that applicant or recipient is eligible.

19 (e) Housing, utilities and/or meals provided to applicants and recipients who are
20 unable to provide a verifiable rent receipt, or verifiable documentation of shared housing, or
21 verifiable documentation of rent-free housing shall be valued as in-kind housing, utilities
22 and/or meals as specified by the Income-In-kind Chart, and that value shall be deducted from
23 the maximum monthly grant for which that applicant or recipient is eligible.

24 (f) Nothing in this Section shall be construed as requiring an otherwise eligible
25 applicant or recipient to accept housing in a facility which is either the subject of a pending

1 nuisance abatement proceeding before a duly authorized agency or department of the City
2 and County or before a court of competent jurisdiction, or which theretofore has been found to
3 be a public nuisance pursuant to any provision of any San Francisco Municipal Code by a
4 duly authorized agency or department of the City and County or by a court of competent
5 jurisdiction and which nuisance has not been abated.

6
7 **SEC. 20.76.3. HOUSING.**

8 (a) "Housing" shall include, but not be limited to, single occupancy residential hotels,
9 master lease rooms, transitional housing, supportive housing programs, and residential
10 treatment facilities, ~~shelter~~. "Housing" shall not include a shelter. "Shelter" shall mean a facility,
11 including a resource center, operated under a contract with the City, to provide temporary emergency
12 shleter services for homeless single adults or families.

13 (b) There shall be no reduction in the PAES stipend for which an applicant/participant
14 is eligible because s/he shares housing with others who are not members of the
15 applicant's/participant's family budget unit as defined under this Article. All
16 applicants/participants shall be required to present a verifiable rent receipt. If the
17 applicant/participant is not the owner or prime lessee of the premises, a verifiable rent receipt
18 signed by the owner or prime lessee may provide evidence of the applicant's/participant's
19 place of residence and monthly share of housing costs.

20 (c) When an applicant/participant obtains rent-free housing, such housing shall be
21 valued according to Income-in-Kind Values Chart set forth under Title 22 of the California
22 Code of Regulations, Section 50511 (the Income-in-Kind Chart"), rather than at fair market
23 value. The value of the rent-free housing, which is presumed to include utilities, as determined
24 under the Income-in-Kind Chart, shall be deducted from the maximum monthly stipend
25 amount. If the applicant or recipient receives rent-free housing, but pays for utilities, the

1 applicant or recipient must present a verifiable bill for utilities at that address, and a verifiable
2 receipt for payment of any portion of that utility bill.

3 (d) Verified payments made directly to a housing provider on behalf of an
4 applicant/participant for the entire amount of the rent and/or utilities, or rent-free housing, or
5 housing received in exchange for work, shall be assigned an in-kind value as specified by the
6 Income-in-Kind Chart and that value shall be deducted from the maximum monthly stipend for
7 which that applicant/participant is eligible.

8 (e) Housing and/or meals provided to applicants and recipients who are unable to
9 provide a verifiable rent receipt, or verifiable documentation of shared housing, or verifiable
10 documentation of rent-free housing shall be valued as in-kind housing, utilities and/or meals
11 as specified by the Income-In-kind Chart, and that value shall be deducted from the maximum
12 monthly stipend for which that applicant or recipient is eligible.

13 (f) Nothing in this Section shall be construed as requiring an otherwise eligible
14 applicant/participant to accept housing in a facility which is either the subject of a pending
15 nuisance abatement proceeding before a duly authorized agency or department of the City
16 and County or before a court of competent jurisdiction, or which theretofore has been found to
17 be a public nuisance pursuant to any provision of any San Francisco Municipal Code by a
18 duly authorized agency or department of the City and County or by a court of competent
19 jurisdiction and which nuisance has not been abated.

20
21 **SEC. 20.106.2. HOUSING.**

22 (a) "Housing" shall include, but not be limited to, single occupancy residential hotels,
23 master lease rooms, transitional housing, supportive housing programs, and residential
24 treatment facilities, ~~shelter~~. "Housing" shall not include a shelter. "Shelter" shall mean a facility.
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1 including a resource center, operated under a contract with the City, to provide temporary emergency
2 shleter services for homeless single adults or families.

3 (b) There shall be no reduction in the CALM payment for which an applicant/recipient
4 is eligible because she/he shares housing with others who are not members of the applicant's
5 family budget unit as defined under this Article. All applicants/recipients shall be required to
6 present a verifiable rent receipt. If the applicant/recipient is not the owner or prime lessee of
7 the premises, a verifiable rent receipt signed by the owner or prime lessee may provide
8 evidence of the applicant's/recipient's place of residence and monthly share of housing costs.

9 (c) When an applicant obtains rent-free housing, such housing shall be valued
10 according to Value of Income-in-Kind Chart set forth under Title 22 of the California Code of
11 Regulations, Section 50511 (the "Income-in-Kind Chart"), rather than at fair market value. The
12 value of the rent-free housing, which is presumed to include utilities, as determined under the
13 Income-in-Kind Chart, shall be deducted from the maximum monthly payment amount. If the
14 applicant or recipient receives rent-free housing, but pays for utilities, the applicant or recipient
15 must present a verifiable bill for utilities at that address, and a verifiable receipt for payment of
16 any portion of that utility bill.

17 (d) Verified payments made directly to a housing provider on behalf of an applicant or
18 recipient for the entire amount of the rent and/or utilities, or rent-free housing, or housing
19 received in exchange for work, shall be assigned an in-kind value as specified by the Income-
20 in-Kind Chart and that value shall be deducted from the maximum monthly payment for which
21 that applicant or recipient is eligible.

22 (e) Housing and/or meals provided to applicants and recipients who are unable to
23 provide a verifiable rent receipt, or verifiable documentation of shared housing, or verifiable
24 documentation of rent-free housing shall be valued as in-kind housing, utilities and/or meals
25

1 as specified by the Income-In-Kind Chart, and that value shall be deducted from the maximum
2 monthly grant for which that applicant or recipient is eligible.

3 (f) Nothing in this Section shall be construed as requiring an otherwise eligible
4 applicant or recipient to accept housing in a facility which is either the subject of a pending
5 nuisance abatement proceeding before a duly authorized agency or department of the City
6 and County or before a court of competent jurisdiction, or which theretofore has been found to
7 be a public nuisance pursuant to any provision of any San Francisco Municipal Code by a
8 duly authorized agency or department of the City and County or by a court of competent
9 jurisdiction and which nuisance has not been abated.

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11 **SEC. 20.206.3. HOUSING.**

12 (a) "Housing" shall include, but not be limited to, single occupancy residential hotels,
13 master lease rooms, transitional housing, supportive housing programs, *and* residential
14 treatment facilities, ~~shelter~~. "Housing" shall not include a shelter. "Shelter" shall mean a facility,
15 including a resource center, operated under a contract with the City, to provide temporary emergency
16 shleter services for homeless single adults or families.

17 (b) There shall be no reduction in the SSIP payment for which an applicant or recipient
18 is eligible because she/he shares housing with others who are not members of the
19 applicant's/recipient's family budget unit. All applicants/recipients shall be required to present
20 a verifiable rent receipt. If the applicant/recipient is not the owner or prime lessee of the
21 premises, a verifiable rent receipt signed by the owner or prime lessee may provide evidence
22 of the applicant's/recipient's place of residence and share of monthly housing costs.

23 (c) When an applicant/recipient obtains rent-free housing, such housing shall be
24 valued according to the Income-in-Kind Values Chart set forth under Title 22 of the California
25 Code of Regulations, Section 50511 (the "Income-in-Kind Chart"), rather than at fair market

1 value. The value of the rent-free housing, which is presumed to include utilities, as determined
2 under the Income-in-Kind Chart, shall be deducted from the maximum monthly payment
3 amount. If the applicant or recipient receives rent-free housing, but pays for utilities, the
4 applicant or recipient must present a verifiable bill for utilities at that address, and a verifiable
5 receipt for payment of any portion of that utility bill.

6 (d) Verified payments made directly to a housing provider on behalf of an applicant or
7 recipient for the entire amount of the rent and/or utilities, or rent-free housing, or housing
8 received in exchange for work, shall be assigned an in-kind value as specified by the Income-
9 in-Kind Chart and that value shall be deducted from the maximum monthly payment for which
10 that applicant or recipient is eligible.

11 (e) Housing and/or meals provided to applicants and recipients who are unable to
12 provide a verifiable rent receipt, or verifiable documentation of shared housing, or verifiable
13 documentation of rent-free housing shall be valued as in-kind housing, utilities and/or meals
14 as specified by the Income-In-Kind Chart, and that value shall be deducted from the maximum
15 monthly stipend for which that applicant or recipient is eligible.

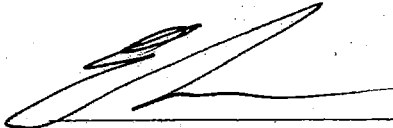
16 (f) Nothing in this Section shall be construed as requiring an otherwise eligible
17 applicant or recipient to accept housing in a facility which is either the subject of a pending
18 nuisance abatement proceeding before a duly authorized agency or department of the City
19 and County or before a court of competent jurisdiction, or which theretofore has been found to
20 be a public nuisance pursuant to any provision of any San Francisco Municipal Code by a
21 duly authorized agency or department of the City and County or by a court of competent
22 jurisdiction and which nuisance has not been abated.

1 **SEC. 20.228. OPERATIVE DATE OF AMENDMENT.**


2 (a) The provisions of this amendment, Sections 20.206(b),(c),(i),(j),
3 20.206.3(a),(b),(c),(e); 20.226; and 20.227 shall become operative on or before July 1, 2003.

4 (b) The amendments to Sections 20.57.1, 20.76.3, 20.106.2, and 20.206.3, adopted by the voters
5 at the general municipal election on November 8, 2011 shall become operative on January 1, 2012.

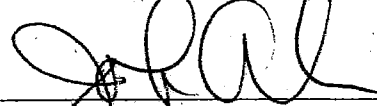
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7 SUBMITTED.

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10 Member, Board of Supervisors

11  Date: 6-20-11


12 Member, Board of Supervisors

13  Date: 6-20-11

14 Member, Board of Supervisors

15  Date: 6-20-11

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