

LEGISLATIVE DIGEST

[Administrative Code - Temporarily Displaced Tenant Preference in City Affordable Housing - Compliance with Right to Return for Temporarily Displaced Tenants]

Ordinance amending the Administrative Code to add a preference in City affordable housing programs to tenants temporarily evicted from rental units for capital improvements or rehabilitation work; requiring landlords who regain possession of such rental units to provide evidence of complying with a tenant's right to re-occupy such tenant's rental unit; and restricting the issuance of a certificate of final completion unless a landlord provides such evidence.

Existing Law

Current law provides that a landlord may temporarily regain possession of a rental unit for the purpose of undertaking capital improvements or rehabilitation (Administrative Code Section 37.9(a)(11)). Tenants are required to vacate their rental unit for the minimum amount of time required to complete the capital improvements or rehabilitation, and such tenants have the right to re-occupy their rental units at the prior rent with certain allowable adjustments.

Current law does not provide a preference in the City's affordable housing programs for tenants temporarily displaced by a landlord for capital improvements or rehabilitation.

Amendments to Current Law

This ordinance would create a preference in the City's affordable housing programs for tenants temporarily displaced by a landlord for capital improvements or rehabilitation under Administrative Code 37.9(a)(11). This preference would be given for initial leases and subsequent leases of affordable housing and prior to the preference for persons who live or work in San Francisco. Temporarily displaced tenants would only be allowed to occupy an affordable housing unit until the tenants receive an offer to re-occupy their units and move back to their units. Tenants would be required to pay the rent established for the affordable rental unit.

This ordinance would amend Administrative Code Section 37.9(a)(11) to require landlords to provide tenants with: (1) a disclosure of available City assistance for temporary housing, and (2) a notice and written offer to reoccupy their units immediately upon completion of the capital work or rehabilitation. Landlords would be required to file the offer with the San Francisco Rent Board, and tenants would have 30 days to accept the offer. In addition, the San Francisco Department of Building and Inspection would be prohibited from issuing a certificate of final completion without the San Francisco Rent Board verifying that a landlord provided a tenant with an offer to reoccupy the tenant's rental unit.

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