

1 [Supporting State Legislation.]

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3 **Resolution urging the California State Legislature to approve Assembly Bill 781,**  
4 **introduced by Assemblyman Mark Leno.**

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6 WHEREAS, On February 18, 2005, California Assemblyman Mark Leno introduced  
7 Assembly Bill 781, a bill aimed at limiting the prohibition placed on public entities from  
8 compelling owners of real property to stay in the rental business to property owners who have  
9 owned their property for longer then five years; and

10 WHEREAS, The state Ellis Act (California Government Code 7060-7060.7) was  
11 adopted by the California Legislature in 1985 after the California Supreme Court ruled that  
12 landlords do not have the right to evict tenants to go out of the business of being a landlord;  
13 and,

14 WHEREAS, Although the Ellis Act was originally adopted to allow long-term landlords  
15 the option of leaving the landlord business altogether, a recent study conducted by the San  
16 Francisco Tenants Union of Ellis Act petitions filed during 2003-04 in San Francisco  
17 concluded that the Act is primarily used by real estate speculators who have owned the  
18 subject property for a period of less then 5 years; and,

19 WHEREAS, The study conducted by the San Francisco Tenants Union found that well  
20 over half of the Ellis Act filings come within six months of the building's purchase and almost  
21 two-thirds of the filings come within the first year; with fully seventy-eight percent taking place  
22 within the first five years of ownership; and,

23 WHEREAS, The North Beach, Castro and Mission communities of San Francisco have  
24 been particularly hard-hit by the increase in speculative Ellis Act evictions involving, in the

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1 case of North Beach, a property owner who filed Ellis Act petitions for five of the six buildings  
2 he purchased within six months of the date of purchase; and,

3 WHEREAS, The use of the Ellis Act to evict long-term tenants for the purpose of short-  
4 term real estate speculation causes substantial damage to the fabric of San Francisco  
5 neighborhoods by forcing families and long-term residents to relocate; and,

6 WHEREAS, A copy of Assembly Bill 781 is on file with the Clerk of the Board of  
7 Supervisors in File No. , which is hereby declared to be a part of this resolution as if set  
8 forth fully herein; now, therefore, be it

9 RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
10 hereby urges the California State Legislature to approve Assembly Bill 781 and any related  
11 legislation to limit the use of speculative Ellis Act evictions for the purpose of short term  
12 financial gain; and, be it

13 FURTHER RESOLVED, That the Clerk of the Board shall, upon final adoption of this  
14 resolution, transmit copies of this resolution to Assemblymen Mark Leno and Leland Yee, and  
15 Senators Carole Migden and Jackie Speier.

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