

1 [Settlement of Lawsuit - City and County of San Francisco - \$95,000]

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3 **Ordinance authorizing settlement of a lawsuit for breach of contract, declaratory**
4 **judgment and permanent injunction filed by the City and County of San Francisco**
5 **against Geary Courtyard Associates, ERP Operating Limited Partnership and Equity**
6 **Residential, for \$95,000; the lawsuit entitled City and County of San Francisco v. Geary**
7 **Courtyard Associates, et al., Case No. CGC 12-520504, filed May 4, 2012, in San**
8 **Francisco Superior Court.**

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

11 Section 1. The City Attorney is hereby authorized to settle the action entitled City and
12 County of San Francisco v. Geary Courtyard Associates, et al., Case No. CGC 12-520504,
13 filed May 4, 2012, in San Francisco Superior Court; by the payment of \$95,000 to the City
14 from defendants for attorney's fees and costs. In addition, the authorized settlement provides
15 for entry of a permanent injunction that will maintain the affordable rents for low income
16 tenants residing at Geary Courtyard, 639 Geary Street in San Francisco. A copy of the
17 settlement agreement is contained in Board File No. _____.

18 Section 2. The following parties were named in the lawsuits: plaintiff City and County
19 of San Francisco; defendants Geary Courtyard Associates, ERP Operating Limited
20 Partnership and Equity Residential.

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1 Section 3. The Board of Supervisors approves and authorizes the City's execution,
2 delivery and performance of the settlement agreement.

3 APPROVED AS TO FORM AND
4 RECOMMENDED:

RECOMMENDED:

5 DENNIS J. HERRERA
6 City Attorney

DIRECTOR, MAYOR'S OFFICE OF
HOUSING

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8 _____
JAMES M. EMERY
Deputy City Attorney

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