

1 [Settlement of Lawsuit - San Francisco Apartment Association, et al. - \$130,440]

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Ordinance authorizing settlement of the lawsuit filed by San Francisco Apartment Association, Coalition For Better Housing, and San Francisco Association of Realtors against the City and County of San Francisco for \$130,440; the lawsuit was filed on January 28, 2014, in San Francisco Superior Court, Case No. CPF-14-513452; entitled San Francisco Apartment Association, et al. v. City and County of San Francisco; the lawsuit involves a claim for attorney’s fees and costs following Petitioners’ challenge to Section 317(e)(4) of Ordinance No. 287-13 on the grounds it is preempted by the state Ellis Act.

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

Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby authorizes the City Attorney to settle the claim for attorney’s fees costs in the action entitled San Francisco Apartment Association, et al. v. City and County of San Francisco, San Francisco Superior Court, Case No. CPF-14-513452 by the payment of \$130,440. The lawsuit involves a claim for attorney’s fees and costs pursuant to Code of Civil Procedure Section 1021.5, following Petitioners’ challenge to section 317(e)(4) of Ordinance No. 287-13 on the grounds it is preempted by the state Ellis Act (Govt. Code, §§ 7060, et seq.).

Section 2. The above-named action was filed in San Francisco Superior Court on January 28, 2014, and the following parties were named in the lawsuit: Petitioners San Francisco Apartment Association, Coalition For Better Housing, and San Francisco Association of Realtors; Respondent City and County of San Francisco.

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APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney

KATE STACY
Deputy City Attorney

FUNDS AVAILABLE:

BEN ROSENFELD
Controller

RECOMMENDED:

SAN FRANCISCO PLANNING
DEPARTMENT

JOHN RAHAIM
Director of Planning

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