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December 5, 2017

**VIA E-MAIL**

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London Breed, President  
San Francisco Board of Supervisors  
1 Dr. Carlton Goodlett Place, Room 244  
City Hall, Second Floor  
San Francisco, CA 94102

**Re: 218 27th Avenue, San Francisco  
December 12, 2017 Hearing  
Appeals of Conditional Use Authorization and  
Categorical Exemption Determination**

Dear President Breed and Members of the Board:

We write to briefly respond to the Project Sponsor's December 4, 2017 supplemental letter regarding a point we made in our Appellants' Brief. That point, stated simply, was that the Project Sponsor failed to provide an evidentiary record supporting the required finding that the subject property was not subject to rent control. We did not argue that a single family home is not subject to rent control, as the Project Sponsor erroneously suggests. Rather, we merely identified a significant flaw in the Project Sponsor's application, to wit, a record lacking the basic information necessary to demonstrate that all required criteria for approval had been met.

The Planning Department acknowledged in its findings that it could not "definitively determine whether or not the single-family home is subject to the Rent Stabilization and Arbitration Ordinance. This is the purview of the Rent Board; however, the Department can confirm that there are no tenants living in the dwelling." (Motion No. 20025, p. 8.)

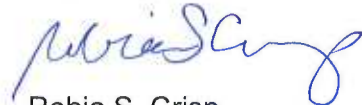
In its supplemental letter, the Project Sponsor conceded that the staff report was "not as clear as it could have been," and then proceeded to supply some of the factual information that should have appeared in the record in the first instance. However, in doing so, the Project Sponsor made a number of statements: (1) the property was owner-occupied prior to its purchase; (2) the property was unoccupied since the predecessor owner passed away in 2015, and (3) no tenants or other occupants resided at the property at any time.

These statements remain incomplete at best. Appellants personally heard and observed multiple occupants residing at the property prior to the time it was sold to the Project Sponsor in 2015. This calls into question whether the Rent Board should be contacted for a record of any tenant complaints or settlements prior to the sale of the home. After the sale of the home, the structure

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was apparently abandoned and laid to waste as evidenced by the subsequent rodent problem and eventual notice of abandonment issued by the City in 2016. This lack of a clear and transparent record to support the required findings is merely indicative of the larger and cumulative failures noted in our Appeal.

Very truly yours,



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