

1 [Rental Subsidy Program for Low-Income Families]

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3 **Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code**
4 **creating the Rental Subsidy Program for Low-Income Families that establishes a need-**
5 **based local housing subsidy for homeless families subject to the fiscal and budgetary**
6 **provisions of the Charter.**

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Note: Additions are *single-underline italics Times New Roman*;
8 deletions are ~~*strikethrough italics Times New Roman*~~.
9 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

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

11 Section 1. The San Francisco Administrative Code is hereby amended by adding

12 Sections 48.1 through 48.7, to read as follows:

13 SEC. 48.1. FINDINGS.

14 The Board of Supervisors finds and declares the following:

15 (a) The City and County of San Francisco is committed to providing permanent and stable
16 housing for homeless families; and

17 (b) According to the San Francisco Homeless Prenatal Program, there are at least 2000
18 homeless families living in San Francisco; and

19 (c) There are currently approximately 1560 family members living in SRO hotels, including
20 760 children; and

21 (d) Living in homeless shelters, SRO hotels and overcrowded conditions has severe negative
22 impacts on the health and well-being of children, including serious and chronic health problems,
23 developmental delays, mental health problems, academic failures, behavioral problems, and hunger
24 and poor nutrition; and

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1 (e) The Homeless Family Service Redesign Workgroup published a report in July
2 2006, recommending the development of a rental subsidy program for homeless families with
3 an initial goal of 300 subsidies in the first year. The report outlined the need for two types of
4 subsidies: 1) a 1-2 year subsidy, 2) a need-based subsidy that would provide support and
5 allow families to transition out as their income increased. The Board of Supervisors, through
6 the budget process 2006, allocated funding to ensure that the need-based subsidy could be
7 provided by the City, as the 1-2 year subsidy was already available to homeless families. A
8 need-based subsidy program would strengthen San Francisco's continuum of homeless
9 services; and

10 (ef) In 2006, the San Francisco Board of Supervisors appropriated money to the Human
11 Services Agency (ordinance number 71-06) to fund a local housing subsidy that provided 300 families
12 with a rental subsidy of \$500 per month and assisted homeless families with permanent and stable
13 housing; the Board of Supervisors then approved the subsidy in subsequent years; and

14 (fg) Under HSA's regulations, the current subsidies expire one year from the time the family
15 began receiving the subsidy, with the possibility that the subsidy be extended up to two years; and

16 (h) The current economic downturn has dramatically affected working families'
17 ability to steadily increase their income by \$6,000 annually; and

18 (gj) The Board of Supervisors recognizes that the current subsidy program does not meet the
19 needs of the majority of extremely low-income families and that the City and County of San Francisco
20 should make other efforts to provide services and support to this population.

21 SEC. 48.2. DEFINITIONS. For purposes of this Ordinance only, the following definitions
22 apply:

23 (a) "Household" means any person or persons who reside or intend to reside in the same
24 housing unit.

1 (b) “Rental Subsidy Program” means all of the City's general fund programs that provide
2 ongoing subsidies to San Francisco families who need financial assistance to make their monthly
3 payments for rental housing; provided, however, that the term “Rental Subsidy Program” shall not
4 include the City's “First Avenues Program,” which provides rental housing subsidies through the
5 auspices of the Hamilton Family Center.

6 SEC. 48.3. ADMINISTRATION OF PROGRAM.

7 The San Francisco Human Services Agency (HSA) shall administer the Rental Subsidy Program
8 for Low-Income Families (“Rental Subsidy Program”), which shall not include the City’s “First
9 Avenues Program,” a program that provides rental housing subsidies through the auspices of the
10 Hamilton Family Center. The Rental Subsidy Program shall be funded through the general fund,
11 subject to the Annual Appropriations Ordinance. HSA shall adopt rules and regulations to implement
12 the Rental Subsidy Program consistent with this ordinance. HSA shall ensure that contractors
13 administering this program communicate with families eligible for the Rental Subsidy Program in the
14 families' primary languages. In addition, HSA shall administer the program so that eligible families
15 are served on a first-come, first-served basis until the total amount of money designated for this
16 program in the Annual Appropriations Ordinance is gone. Families receiving a rental subsidy through
17 the original program as administered by HSA prior to the effective date of this Ordinance shall be
18 deemed to have applied for the Rental Subsidy Program and to have received a subsidy under the
19 Rental Subsidy Program as of the date that they received their first rental subsidy from the City.

20 SEC. 48.4. OVERSIGHT COMMITTEE.

21 The HSA shall appoint the members of an oversight committee to oversee the Rental
22 Subsidy Program and make recommendations to the HSA, Mayor, and Board of Supervisors
23 regarding policies and procedures of the Rental Subsidy Program. The oversight committee
24 shall be made up of one representative of an agency responsible for administering the
25 subsidy on behalf of the City, two representatives of organizations advocating on behalf of

1 homeless families, and two individuals who have experienced homelessness with their
2 children. The oversight committee must meet at least four times a year. The oversight
3 committee shall issue a report on the progress of the subsidy to the Board of Supervisors,
4 Mayor and the Human Services Agency two times a year, including number of families
5 served, length of time on subsidy, outcomes, number of unused slots, number of families
6 seeking subsidies that were turned away, changes in policy, and other pertinent information.
7 HSA shall provide staff and other administrative support, as necessary, to the oversight
8 committee.

9 SEC. 48.4. LOCAL HOMELESS COORDINATING BOARD OVERSIGHT.

10 The Local Homeless Coordinating Board shall issue a report on the progress of the
11 subsidy to the Board of Supervisors, Mayor and Human Services Agency two times a year,
12 including the number of families served, length of time on subsidy, outcomes, number of
13 unused slots, number of families seeking subsidies that were turned away, and
14 recommendations in changes in policy, eligibility criteria for applicants, and other pertinent
15 information.

16 The Service Providers shall make best effort to take necessary corrective action in
17 response to all client complaints internally within 30 days. If the client is not satisfied with the
18 response, he or she may then refer the complaint to the Local Homeless Coordinating Board.
19 The Local Homeless Coordinating Board shall investigate these complaints within 30 days.

20 SEC. 48.5. AMOUNT OF SUBSIDY; TIME LIMITS.

21 Subject to the fiscal and budgetary provisions of the Charter, the amount of the subsidy shall
22 not exceed \$500 per month per household and shall be based on the needs of the family. Families
23 may remain in the Rental Subsidy Program for up to five years. The amount of the subsidy shall
24 decrease as the household's income increases.

25 SEC. 48.6. LIMITATION OF LIABILITY.

1 By adopting this Article, the City and County of San Francisco is assuming an undertaking only
2 to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an
3 obligation or duty for breach of which it is liable in money damages or any other relief to any person
4 who claims that such a breach proximately caused injury or damages, including but not limited to any
5 and all claims by landlords or tenants affected by subsidies offered under this program.

6 SEC. 48.7. SEVERABILITY.

7 If any section, subsection, clause, phrase or portion of this Article is for any reason held invalid
8 or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall
9 be deemed a separate, distinct and independent provision and such holding shall not affect the validity
10 of the remaining portions thereof.

11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

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14 By: _____
15 VIRGINIA DARIO ELIZONDO
16 Deputy City Attorney