

BOARD of SUPERVISORS



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MEMORANDUM

LAND USE AND TRANSPORTATION COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Mark Farrell, Chair
Land Use and Transportation Committee

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: June 27, 2017

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, June 27, 2017

The following file scheduled to be presented as a **COMMITTEE REPORT** at the Tuesday, June 27, 2017 Board Meeting was **TABLED** at the Committee Meeting on Monday, June 26, 2017, at 1:30 p.m.

Item No. 34, was not sent as a Committee Report.

170417 Administrative Code - Owner Move-In Evictions and Other Landlord-Tenant Matters

Ordinance amending the Administrative Code regarding owner move-in and relative move-in ("OMI") evictions to 1) require a landlord seeking to recover possession of a unit for an OMI to provide a declaration under penalty of perjury stating that the landlord intends to occupy the unit for use as the principal place of residence of the landlord or the landlord's relative for at least 36 continuous months; 2) require a landlord to provide the tenant with a form prepared by the Rent Board to be used to advise the Rent Board of any change in address; 3) clarify the evidentiary standard for finding that an OMI was not performed in good faith; 4) require a landlord to file documentation with the Rent Board regarding the status of an OMI, with a penalty for not filing such documentation, and requiring the Rent Board to transmit a random sampling of such documentation to the District Attorney; 5) extend from three to five years the time period after an OMI during which a landlord who intends to re-rent the unit must first offer the unit to the displaced tenant; 6) provide that a landlord who charges above the maximum allowable rent during the five-year period after an OMI is guilty of a misdemeanor; 7) require the Rent Board to annually notify the unit occupant of the maximum rent for the unit for five years after an OMI, and authorize the occupant to sue for three times any excess rent charged; 8) extend the statute of limitations for wrongful eviction claims based on an unlawful OMI from one year to five years; and 9) making clarifying changes.

c: Board of Supervisors
Angela Calvillo, Clerk of the Board
Jon Givner, Deputy City Attorney