

File No. 221187

Committee Item No. 4

Board Item No. 1

## COMMITTEE/BOARD OF SUPERVISORS

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Board of Supervisors Meeting Date March 14, 2023

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#### OTHER (Use back side if additional space is needed)

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Completed by: Brent Jalipa Date February 22, 2023

Completed by: Brent Jalipa Date March 2, 2023

1 [Administrative Code - Power to Sell for Nonresidential Commercial Properties]

2  
3 **Ordinance amending the Administrative Code to allow the Tax Collector to sell**  
4 **tax-defaulted nonresidential commercial property after five years of nonpayment of**  
5 **property taxes instead of after three years.**

6 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
7 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
8 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
9 **Board amendment additions** are in double-underlined Arial font.  
10 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
11 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
12 subsections or parts of tables.

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

14 Section 1. The Administrative Code is hereby amended by adding Section 10.4-1 to  
15 Article I of Chapter 10, to read as follows:

16 **SEC. 10.4-1. POWER TO SELL TIME PERIOD FOR NONRESIDENTIAL COMMERCIAL**  
17 **PROPERTIES.**

18 *In accordance with California Revenue and Taxation Code Section 3691(a)(1)(C), the Board of*  
19 *Supervisors elects to have the five-year time period described in California Revenue and Taxation*  
20 *Code Section 3691(a)(1)(A) apply to tax-defaulted nonresidential commercial property.*

21  
22 Section 2. Effective Date. This ordinance shall become effective 30 days after  
23 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
24 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
25 of Supervisors overrides the Mayor's veto of the ordinance.

1 Section 3. Undertaking for the General Welfare. In acting and implementing this  
2 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not  
3 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it  
4 is liable in money damages to any person who claims that such breach proximately caused  
5 injury.

6

7 APPROVED AS TO FORM:  
8 DAVID CHIU, City Attorney

9

9 By: /s/ Carole F. Ruwart  
10 CAROLE F. RUWART  
10 Deputy City Attorney

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**From:** [Manke, Eric \(TTX\)](#)  
**To:** [BOS Legislation, \(BOS\)](#)  
**Subject:** FW: Proposed ORDINANCE: Administrative Code - Power to Sell for Nonresidential Commercial Properties [File No. 2300135 ]  
**Date:** Monday, November 21, 2022 2:07:12 PM  
**Attachments:** [ORD - Tax Sale Power to Sell Nonresidential Commercial Properties.DOCX](#)

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Good Afternoon,

Please find a proposed ordinance for the Board of Supervisors approval, which to allows the Tax Collector to sell tax defaulted nonresidential commercial property after five years of nonpayment of property taxes instead of after three years. Please let me know if you need anything further from our office. Feel free to contact me with any questions or concerns. Thank you.

Eric Manke

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**From:** Fried, Amanda (TTX) <[amanda.fried@sfgov.org](mailto:amanda.fried@sfgov.org)>  
**Sent:** Monday, November 21, 2022 1:49 PM  
**To:** Manke, Eric (TTX) <[eric.manke@sfgov.org](mailto:eric.manke@sfgov.org)>  
**Subject:** FW: ORDINANCE: Administrative Code - Power to Sell for Nonresidential Commercial Properties [File No. 2300135 ]

Can you please introduce this? Thank you!



**Amanda Kahn Fried** Policy and Communications  
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**From:** Chin, Karen (CAT) <[Karen.Chin@sfcityatty.org](mailto:Karen.Chin@sfcityatty.org)>  
**Sent:** Monday, November 21, 2022 11:44 AM  
**To:** Cisneros, Jose (TTX) <[jose.cisneros@sfgov.org](mailto:jose.cisneros@sfgov.org)>  
**Cc:** Fried, Amanda (TTX) <[amanda.fried@sfgov.org](mailto:amanda.fried@sfgov.org)>; ZAREFSKY, PAUL (CAT) <[Paul.Zarefsky@sfcityatty.org](mailto:Paul.Zarefsky@sfcityatty.org)>; BUTA, ODAYA (CAT) <[Odaya.Buta@sfcityatty.org](mailto:Odaya.Buta@sfcityatty.org)>; PEARSON, ANNE (CAT) <[Anne.Pearson@sfcityatty.org](mailto:Anne.Pearson@sfcityatty.org)>; SAPERSTEIN, ALLIE (CAT) <[Allie.Saperstein@sfcityatty.org](mailto:Allie.Saperstein@sfcityatty.org)>; CHEESEBOROUGH, PAMELA (CAT) <[Pamela.Cheeseborough@sfcityatty.org](mailto:Pamela.Cheeseborough@sfcityatty.org)>; REIBER, SCOTT (CAT) <[Scott.Reiber@sfcityatty.org](mailto:Scott.Reiber@sfcityatty.org)>; RUWART, CAROLE (CAT) <[Carole.Ruwart@sfcityatty.org](mailto:Carole.Ruwart@sfcityatty.org)>  
**Subject:** ORDINANCE: Administrative Code - Power to Sell for Nonresidential Commercial Properties [File No. 2300135 ]

At the request of Deputy City Attorney Carole F. Ruwart, attached is the Word version of the ordinance for submittal to the Board of Supervisors.

Pursuant to the Board of Supervisors' April 3, 2020 instructions, the ordinance is approved and signed electronically by putting /s/ in the signature line AND confirming with this email that the use of that symbol is intended to have the same effect as the individual's signature and confirming the signatory's intent to approve the document.

Please do not hesitate to contact us if you have any questions or concerns.

Best regards,

Karen Chin for Deputy City Attorney Carole F. Ruwart

**Karen Chin**

Office of City Attorney David Chiu

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Email: [Karen.Chin@sfcityatty.org](mailto:Karen.Chin@sfcityatty.org)

[www.sfcityattorney.org](http://www.sfcityattorney.org)

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