

File No. 230311 Committee Item No. 1
Board Item No. 4

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date April 17, 2023

Board of Supervisors Meeting Date April 25, 2023

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input type="checkbox"/>	Resolution
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Introduction Form
<input type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	MOU
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	Subcontract Budget
<input type="checkbox"/>	<input type="checkbox"/>	Contract/Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Form 126 – Ethics Commission
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Application
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Public Correspondence

OTHER (Use back side if additional space is needed)

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Referral FYI 031423</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Melgar Comm Rpt 041723</u>
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Completed by: Erica Major Date April 13, 2023

Completed by: Erica Major Date April 18, 2023

[Administrative Code - COVID-19 Tenant Protections]

Ordinance amending the Administrative Code to extend by 60 days the restrictions on evicting or imposing late fees on residential tenants who could not pay rent that came due during the COVID-19 emergency; and including within those restrictions units where the rent is controlled or regulated by the City.

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

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

Section 1. Purpose and Findings.

(a) On February 25, 2020, the Mayor proclaimed a state of emergency due to COVID-19 and the Board of Supervisors concurred in the emergency. Three years later, the City is preparing for the end of this state of emergency, but the City and its residents have suffered an unprecedented public health and economic crisis.

(b) With respect to evictions, the Mayor on March 13, 2020 adopted the first of a series of emergency orders to prevent the eviction of residential tenants who were unable to pay certain months' rent due to the financial impacts of COVID-19. The City later adopted an ordinance to limit such evictions, which applied to missed rent payments that originally came due between March 16, 2020, and September 30, 2020. See Ordinance No. 093-20, codified at Administrative Code Section 37.9(a)(1)(D). The City also created a COVID-19 Rent

1 Resolution and Relief Fund (Ordinance No. 227-20) to provide support to eligible landlords
2 whose tenants are unable to pay rent due to the financial impacts of the COVID-19 pandemic.

3 (c) At the state level, the Legislature adopted the COVID-19 Tenant Relief Act
4 (California Code of Civil Procedure Sections 1179.01 *et seq.*, hereafter, “the Act”), which
5 created additional protections for tenants who were unable to pay their rent due to COVID-19.
6 The Act addresses evictions for non-payment of rent that came due between March 1, 2020
7 and June 30, 2022 only. But the Act does not alter a local government’s authority to extend,
8 expand, renew, reenact, or newly adopt an ordinance that requires just cause for termination
9 of a residential tenancy or amend existing ordinances that require just cause for termination of
10 a residential tenancy, provided that such ordinances do not apply to rental payments that
11 came due between March 1, 2020, and June 30, 2022, and do not take effect before July 1,
12 2022. Accordingly, by Ordinance No. 034-22, the City has continued to regulate evictions for
13 non-payment, from July 1, 2022 until the end of the Mayor’s state of emergency. The City has
14 also assisted more than 6,070 households with more than \$47 million in funding to help them
15 cover their unpaid rent, but there is a significant backlog of relief applications and more
16 applications are expected.

17 (d) The Board of Supervisors finds there is a compelling need to ensure a safe and
18 orderly transition for tenants following the end of the Mayor’s state of emergency. The health
19 orders have recently lifted, but it is important to remain vigilant against further spread of the
20 disease, and ensure the City’s most vulnerable residents can stay housed, find employment
21 opportunities in a post-pandemic economy, and not leave San Francisco. Many potentially
22 impacted renters are essential workers on whom the City will depend as it begins its post-
23 emergency recovery.

24 (e) The Board of Supervisors finds it is in the public interest to prevent tenant
25 displacement in San Francisco due to COVID-19, by enacting a limited extension of these

1 tenant protections to ensure a safe and orderly wind-down following the end of the state of
2 emergency. Pursuant to the City's legislative authority to regulate evictions, and consistent
3 with the Act, this ordinance applies to rent payments that originally came due on or after July
4 1, 2022, through 60 days after the end of the Mayor's proclamation of emergency related to
5 the COVID-19 pandemic. Nothing in this ordinance shall affect or impair the application of
6 any other City law or the Act with respect to rent payments that originally came due before
7 July 1, 2022.

8
9 Section 2. Chapter 37 of the Administrative Code is hereby amended by revising
10 Section 37.9, to read as follows:

11 **SEC. 37.9. EVICTIONS.**

12 Notwithstanding Section 37.3, this Section 37.9 shall apply as of August 24, 1980, to all
13 landlords and tenants of rental units as defined in Section 37.2(r).

14 (a) A landlord shall not endeavor to recover possession of a rental unit unless:

15 (1) The tenant:

16 (A) Has failed to pay the rent to which the landlord is lawfully entitled
17 under the oral or written agreement between the tenant and landlord:

18 * * * *

19 (D) Provided, however, that subsection (a)(1) shall not apply with
20 respect to rent payments that initially became due during the time period when paragraph 2 of
21 the Governor's Executive Order No. N-28-20 ~~(as said time period may be extended by the~~
22 ~~Governor from time to time)~~ was in effect (March 16, 2020 through September 30, 2020), and
23 where the tenant's failure to pay (i) arose out of a substantial decrease in household income
24 (including, but not limited to, a substantial decrease in household income caused by layoffs or
25 a reduction in the number of compensable hours of work, or substantial out-of-pocket

1 expenses); (ii) that was caused by the COVID-19 pandemic, or by any local, state, or federal
2 government response to COVID-19; and (iii) is documented. The types of documentation that
3 a tenant may use to show an inability to pay due to COVID-19 may include, without limitation,
4 bank statements, pay stubs, employment termination notices, proof of unemployment
5 insurance claim filings, sworn affidavits, and completed forms prepared by the Rent Board. A
6 tenant shall have the option, but shall not be required, to use third-party documentation such
7 as a letter from an employer to show an inability to pay. The provisions of this subsection
8 (a)(1)(D), being necessary for the welfare of the City and County of San Francisco and its
9 residents, shall be liberally construed to effectuate its purpose, which is to protect tenants
10 from being evicted for missing rent payments due to the COVID-19 pandemic. Nothing in this
11 subsection (a)(1)(D) shall relieve a tenant of the obligation to pay rent, nor restrict a landlord's
12 ability to recover rent due;

13 (E) Provided, further, that subsection (a)(1) also shall not apply with
14 respect to rent payments that initially became due during the time period between ~~April~~ July 1,
15 2022, and 60 days after the date that the Mayor's proclamation of emergency related to the
16 COVID-19 pandemic ceases to be in effect, if the tenant can show inability to pay the rent
17 because of the financial impacts of the COVID-19 pandemic as set forth in subsection
18 (a)(1)(D). Nothing in this subsection (a)(1)(E) shall relieve a tenant of the obligation to pay
19 rent, nor restrict a landlord's ability to recover rent due.

20 (F) The protections in subsections (a)(1)(D) and (a)(1)(E) shall also
21 apply to units where the rent is controlled or regulated by the City, notwithstanding Section
22 37.2(r)(4), including without limitation privately-operated units controlled or regulated by the
23 Mayor's Office of Housing and Community Development and/or the Department of
24 Homelessness and Supportive Housing. This subsection (a)(1)(F) shall apply to all such
25 units, including but not limited to those where a notice to vacate or quit was pending as of the

1 date that this subsection (a)(1)(F) first took effect and regardless whether the notice was
2 served before, on, or after April 3, 2023.

3 (2) The tenant has violated a lawful obligation or covenant of tenancy other than
4 the obligation to surrender possession upon proper notice or other than an obligation to pay a
5 charge prohibited by Police Code Section 919.1, the violation was substantial, and the tenant
6 fails to cure such violation after having received written notice thereof from the landlord.

7 * * * *

8 (E) Notwithstanding any lease provision to the contrary, a landlord may
9 not impose late fees, penalties, interest, liquidated damages, or similar charges due to a
10 tenant's non-payment of rent, if the tenant can demonstrate that it missed the rent payment
11 due to the COVID-19 pandemic as set forth in subsections (a)(1)(D), ~~and/or~~ (a)(1)(E), and/or
12 (a)(1)(F). A landlord may not recover possession of the unit due to a tenant's failure to pay
13 late such charges when subsections (a)(1)(D), ~~and/or~~ (a)(1)(E), and/or (a)(1)(F) apply. The
14 foregoing sentence shall not enlarge or diminish a landlord's rights with respect to such
15 charges when subsections (a)(1)(D), ~~and/or~~ (a)(1)(E), and/or (a)(1)(F) do not apply. ~~;~~ ~~or~~

16 * * * *

17
18 Section 3. Severability. If any section, subsection, sentence, clause, phrase, or word
19 of this ordinance, or any application thereof to any person or circumstance, is held to be
20 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision
21 shall not affect the validity of the remaining portions or applications of the ordinance. The
22 Board of Supervisors hereby declares that it would have passed this ordinance and each and
23 every section, subsection, sentence, clause, phrase, and word not declared invalid or
24 unconstitutional without regard to whether any other portion of this ordinance or application
25 thereof would be subsequently declared invalid or unconstitutional.

1
2 Section 4. Effective Date. This ordinance shall become effective 30 days after
3 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
4 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
5 of Supervisors overrides the Mayor's veto of the ordinance.
6

7 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
8 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
9 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
10 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
11 additions, and Board amendment deletions in accordance with the "Note" that appears under
12 the official title of the ordinance.
13

14 APPROVED AS TO FORM:
15 DAVID CHIU, City Attorney

16 By: /s/
17 MANU PRADHAN
18 Deputy City Attorney
19 n:\legana\as2020\2000387\01667535.docx
20
21
22
23
24
25

REVISED LEGISLATIVE DIGEST
(Amended in Committee, 4/3/2023)

[Administrative Code - COVID-19 Tenant Protections]

Ordinance amending the Administrative Code to extend by 60 days the restrictions on evicting or imposing late fees on residential tenants who could not pay rent that came due during the COVID-19 emergency; and including within those restrictions units where the rent is controlled or regulated by the City.

Existing Law

City law prohibits landlords from evicting or imposing late fees on residential tenants who could not pay their rent based on the financial impacts of COVID-19, if the rent originally came due while Paragraph 2 of Governor's Executive Order No. N-28-20 was in effect (i.e., between March 16, 2020 and September 30, 2020); or between July 1, 2022 and the end of the Mayor's COVID-19 emergency proclamation (which has not yet occurred). A tenant who could not pay their rent due to the financial impacts of COVID-19 is permanently protected from eviction and late fees due to missed rent from these time periods. But this law does not apply to rent that will come due after the emergency proclamation ends.

Amendments to Current Law

The proposed ordinance would extend the moratorium period to apply to rent that comes due within 60 days after the emergency proclamation ends. Also, the ordinance would apply the moratorium to units that are otherwise exempt from the Rent Ordinance due to the rent due being controlled or regulated by the City.

Background

Administrative Code Section 37.9(a)(1)(E) states that these eviction protections apply to rent that comes due between April 1, 2022 until the end of the emergency proclamation. But after the City enacted this language, the State of California amended State law to state that a local enactment on evictions for non-payment may only address the post-July 1, 2022 rent.

On April 3, 2023, the ordinance was amended to include units where the rent is controlled or regulated by the City. These units were covered by the original eviction moratorium that the Mayor adopted. The April 3 amendments also include a non-substantive clarification as to the specific period when Paragraph 2 of Governor's Executive Order No. N-28-20 was in effect.

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From: [anlyrealestate](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Eviction Ban ,file # 230260
Date: Tuesday, March 21, 2023 12:45:11 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

Please vote No on file#230260 and end the COVID-19 eviction ban. The covid eviction ban for nonpayment of rent is abusive and tyrannical. Over 3 years it has forced housing providers to work without pay while they were stuck to provide housing services through the most dangerous time of the Pandemic. Many mom/pop owners are seniors who suffer from their own health and financial problems; it's inhumane to enslave them and destroy their livelihoods.

Please end this cruelty now; please vote No on the covid eviction ban.

Thank you.

Nly

Sent via the Samsung Galaxy S22 Ultra 5G, an AT&T 5G smartphone

From: [xiaojun.mo](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Please vote No on file#230260
Date: Tuesday, March 21, 2023 12:32:06 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

Please vote No on file#230260 and end the COVID-19 eviction ban. The covid eviction ban for nonpayment of rent is abusive and tyrannical. Over 3 years it has forced housing providers to work without pay while they were stuck to provide housing services through the most dangerous time of the Pandemic. Many mom/pop owners are seniors who suffer from their own health and financial problems; it's inhumane to enslave them and destroy their livelihoods.

Please end this cruelty now; please vote No on the covid eviction ban.

From: [Jane Gao](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: COVID eviction ban
Date: Tuesday, March 21, 2023 12:24:52 PM

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board.of.supervisors@sfgov.org

Dear Supervisors,

Please vote No on file#230260 and end the COVID-19 eviction ban. The covid eviction ban for nonpayment of rent is abusive and tyrannical. Over 3 years it has forced housing providers to work without pay while they were stuck to provide housing services through the most dangerous time of the Pandemic. Many mom/pop owners are seniors who suffer from their own health and financial problems; it's inhumane to enslave them and destroy their livelihoods.

Please end this cruelty now; please vote No on the covid eviction ban.

From: [Dong Qu](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: please vote No on the covid eviction ban
Date: Tuesday, March 21, 2023 12:20:55 PM

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Dear Supervisors,

Please vote No on file#230260 and end the COVID-19 eviction ban. The covid eviction ban for nonpayment of rent is abusive and tyrannical. Over 3 years it has forced housing providers to work without pay while they were stuck to provide housing services through the most dangerous time of the Pandemic. Many mom/pop owners are seniors who suffer from their own health and financial problems; it's inhumane to enslave them and destroy their livelihoods.

Please end this cruelty now; please vote No on the covid eviction ban.

From: [Li Li](#)
To: [Board of Supervisors \(BOS\)](#)
Date: Tuesday, March 21, 2023 12:11:17 PM

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board.of.supervisors@sfgov.org

Dear Supervisors,

Please vote No on file#230260 and end the COVID-19 eviction ban. The covid eviction ban for nonpayment of rent is abusive and tyrannical. Over 3 years it has forced housing providers to work without pay while they were stuck to provide housing services through the most dangerous time of the Pandemic. Many mom/pop owners are seniors who suffer from their own health and financial problems; it's inhumane to enslave them and destroy their livelihoods.

Please end this cruelty now; please vote No on the covid eviction ban.

Sent from my iPhone

From: [Kenny](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Covid eviction ban
Date: Tuesday, March 21, 2023 12:06:07 PM

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board.of.supervisors@sfgov.org

Dear Supervisors,

Please vote No on file#230260 and end the COVID-19 eviction ban. The covid eviction ban for nonpayment of rent is abusive and tyrannical. Over 3 years it has forced housing providers to work without pay while they were stuck to provide housing services through the most dangerous time of the Pandemic. Many mom/pop owners are seniors who suffer from their own health and financial problems; it's inhumane to enslave them and destroy their livelihoods.

Please end this cruelty now; please vote No on the covid eviction ban.

Sent from my iPhone

From: [Yuanwen Wu](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: no to 230260
Date: Tuesday, March 21, 2023 12:03:12 PM

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Dear Supervisors,

Please vote No on file#230260 and end the COVID-19 eviction ban. The covid eviction ban for nonpayment of rent is abusive and tyrannical. Over 3 years it has forced housing providers to work without pay while they were stuck to provide housing services through the most dangerous time of the Pandemic. Many mom/pop owners are seniors who suffer from their own health and financial problems; it's inhumane to enslave them and destroy their livelihoods.

Please end this cruelty now; please vote No on the covid eviction ban.

Get [Outlook for Android](#)

From: [Dan Pan](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Please end Eviction Ban in SF!!!
Date: Tuesday, March 21, 2023 12:00:04 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

My name is Dan, a board member of BAHN, representing hundreds of mom and pop housing providers, who are normal hard working people, struggling with pandemic just like most tenants, with children to feed and families to support. We at BAHN strongly oppose the Eviction Ban, this economically, socially and morally irresponsible rule. It has been causing chaos among our society. Housing providers in SF have been desperately requested to end this eviction ban.

Eviction Ban has been in place for more than three years. Enough is enough. Many housing providers are in edge of bankruptcy, just like George Wu, the hunger striker from the city of San Leandro. Also Eviction Ban will push a lot of tenants in edge of bankruptcy as well because they eventually are responsible for the missing rents. Longer the Eviction Ban stays, more devastating damage to San Francisco. Every time there are so many housing providers testify to end the Eviction Ban at public comments at each meeting. I feel so sorry for them for that different kinds of sorrow stories. I don't think you, dear Mayor and supervisors have no feeling about these. I feel sorry for San Francisco as well since those horrible stories had happened and have been continuing in San Francisco. The continuous Eviction Ban makes San Leandro shamed, make people feel shocked, frustrated, scared and confused, and feel helpless, ignored, and betrayed in this already horrible pandemic. This is not the American we came and hoped for. This is not the hometown we, San Francisco residents, are wishing for and are willing to stay.

We the People desperately need great leadership during this crisis. Please lead us to fight the virus, instead of making us fight against each other. Unite us, instead of dividing us; promote care and love, instead of suspicion and hate.

Please vote No on file#230260 and end the COVID-19 eviction ban.

Dan Pan

From: [Raymond Kwong](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Please stop the eviction ban!
Date: Tuesday, March 21, 2023 11:37:54 AM

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board.of.supervisors@sfgov.org

Dear San Francisco Supervisors,

Please be sure to vote No on file 230260 and stop the prolonged COVID eviction ban. This has dragged on too long. I represent around 30 voters in S. F., we own rental properties but we are strapped financially! All we ask of you is to be fair and have a heart for us. Yes many tenants had a tough time during covid , but so do we. We feel forgotten!

We will be watching your votes.

Please end this insane policy now; please vote No on the covid eviction ban.

Thank you!

Raymond Kwong

From: [Elaine Young](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Please vote No on file#230260 and end the COVID-19 eviction ban
Date: Tuesday, March 21, 2023 11:30:00 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

Please vote No on file#230260 and end the COVID-19 eviction ban. The covid eviction ban for nonpayment of rent is abusive and tyrannical. Over 3 years it has forced housing providers to work without pay while they were stuck to provide housing services through the most dangerous time of the Pandemic. Many mom/pop owners are seniors who suffer from their own health and financial problems; it's inhumane to enslave them and destroy their livelihoods.

Please end this cruelty now; please vote No on the covid eviction ban.

Elaine

From: [John Z](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Please vote No to 230260 and end the COVID-19 eviction ban!!!
Date: Tuesday, March 21, 2023 11:10:40 AM

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Dear Supervisors,

Please vote No on file#230260 and end the COVID-19 eviction ban. The covid eviction ban for nonpayment of rent is abusive and tyrannical. Over 3 years it has forced housing providers to work without pay while they were stuck to provide housing services through the most dangerous time of the Pandemic. Many mom/pop owners are seniors who suffer from their own health and financial problems; it's inhumane to enslave them and destroy their livelihoods.

Please end this cruelty now; please vote No on the covid eviction ban.

Thanks

John

From: [Phoebe Kuong](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: No on file #230260
Date: Tuesday, March 21, 2023 11:00:58 AM

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board.of.supervisors@sfgov.org

Dear Supervisors,

Please vote No on file#230260 and end the COVID-19 eviction ban. The covid eviction ban for nonpayment of rent is abusive and tyrannical. Over 3 years it has forced housing providers to work without pay while they were stuck to provide housing services through the most dangerous time of the Pandemic. Many mom/pop owners are seniors who suffer from their own health and financial problems; it's inhumane to enslave them and destroy their livelihoods. Thanks

From: [Wendy Luo](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Please vote No on file#230260 and end the COVID-19 eviction ban
Date: Tuesday, March 21, 2023 10:46:42 AM

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Dear Supervisors,

Please vote No on file#230260 and end the COVID-19 eviction ban. The covid eviction ban for nonpayment of rent is abusive and tyrannical. Over 3 years it has forced housing providers to work without pay while they were stuck to provide housing services through the most dangerous time of the Pandemic. Many mom/pop owners are seniors who suffer from their own health and financial problems; it's inhumane to enslave them and destroy their livelihoods.

Please end this cruelty now; please vote No on the covid eviction ban.

Thanks,

Wendy

From: [Linda](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: No on file 230260, end Covid eviction ban
Date: Tuesday, March 21, 2023 10:08:54 AM

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Dear Supervisors,

Please vote No on file#230260 and end the COVID-19 eviction ban. The covid eviction ban for nonpayment of rent is abusive and tyrannical. Over 3 years it has forced housing providers to work without pay while they were stuck to provide housing services through the most dangerous time of the Pandemic. Many mom/pop owners are seniors who suffer from their own health and financial problems; it's inhumane to enslave them and destroy their livelihoods.

Please end this cruelty now; please vote No on the covid eviction ban.

Linda Gao

Sent from my iPhone

From: [Louie 雷千紅Leanna](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: NO on File #230260: please end COVID-19 eviction ban
Date: Tuesday, March 21, 2023 10:03:06 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

board.of.supervisors@sfgov.org

Dear Supervisors,

Please vote No on file#230260 and end the COVID-19 eviction ban. The covid eviction ban for nonpayment of rent is abusive and tyrannical.

Over the past 3 years, it has forced housing providers to work without pay while they were stuck to provide housing services through the most dangerous time of the Pandemic. Many mom/pop owners are seniors who suffer from their own health and financial problems; it's inhumane to enslave them and destroy their livelihoods.

Please end this cruelty now; please vote NO on the covid eviction ban. Thank you for your time and attention to this matter.

Sincerely,
Leanna Louie
Resident of SF since 1979

From: [Stephanie Jeong](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: File 230260 Administration Code - COVID - 19 Tenant Protections
Date: Tuesday, March 21, 2023 8:31:01 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors

Please do not approve File No. 230260. The COVID pandemic is over, so people are getting back to work. Extending the Administration Code by 60 days is not necessary.

Thank you for your time.

Stephanie

From: [meinayoung1](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: No on file#230260; end the covid eviction ban now
Date: Tuesday, March 21, 2023 1:25:34 AM

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Dear Supervisors,

Please vote No on file#230260 and end the COVID-19 eviction ban. The covid eviction ban for nonpayment of rent is abusive and tyrannical. Over 3 years it has forced housing providers to work without pay while they were stuck to provide housing services through the most dangerous time of the Pandemic. Many mom/pop owners are seniors who suffer from their own health and financial problems; it's inhumane to enslave them and destroy their livelihoods.

Please end this cruelty now; please vote No on the covid eviction ban.

Regards,
Meina Young
SF small property owner

Sent via the Samsung Galaxy S8, an AT&T 5G Evolution capable smartphone

From: [Charlotte Worcester](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: BoS Mtg. 3/21/23, file number 230260
Date: Monday, March 20, 2023 8:51:05 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board Members,

Due to the fact that I work during the hours of public comment at meeting of the Board of Supervisors, I am stating my position on Agenda item number 25, COVID19 Tenant Protections, file number 230260:

DO NOT APPROVE

Rental property owners' property rights have been marginalized and abused for the past three years. End this discrimination.

DO NOT APPROVE the extension of this oppressive policy.

Sincerely,

Charlotte Worcester
not-a-rental-property owner

From: [Kimberly L Thomas](#)
To: [Board of Supervisors \(BOS\)](#); [RNT-SF Rent Board Inventory](#); [Foster, Darin \(TTX\)](#)
Subject: Re: SF Rent Board Dispute
Date: Monday, March 20, 2023 7:32:35 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please respond accordingly and expeditiously. Thank you.

Sent from Kimberly L. Thomas' iPhone

On Mar 17, 2023, at 11:17, Kimberly L Thomas
<black_butterfly74@yahoo.com> wrote:

Furthermore, where is the so called "paper work filed for a renter inhabitant or an Air b-n-b"? My home is under repairs and I'm working 3 jobs to survive and pay taxes. Please allow me to honor my family and my city.
<image2.jpeg>

Sent from Kimberly L. Thomas' iPhone

On Mar 15, 2023, at 11:27, Kimberly Thomas
<black_butterfly74@yahoo.com> wrote:

To the Board of Supervisors, Rent Board and Darin Foster:

I am the owner of 839 Capitol Avenue, SF, Lot# 7054, #002. However, my home is not an Air B-n-B, nor am I a renter to ANYONE and never have been. I really believe you all just come to take away from those that try to work hard in this city. I have never rented my home out to anyone. Please stop sending these notices and accusing me of a delinquent bill that shouldn't even exist. Our City has bigger issues than taxing home owners for an unnecessary tax, especially to Native San Franciscans.

The supposed exemption letter, I have never received. Charging hardworking natives for a tax that doesn't even pertain to them is unfair. Please remove me from this list I never should have been on. I am dealing with losses in my family and extended family, this isn't where my energy should be directed. Please remove the delinquency and this charge. Try focusing on rectifying homes and help for low income families and the homeless. I was born and raised here, this is no longer the city I know. Make it easy for those that want to live in San Francisco, no exemption paper should be needed to state I don't rent to anyone.

Please have the staff be more careful with files and documenting. There is no reason this bill should even be part of our city. We are taxed enough. People deal with enough stressors just trying to stay a float. It's economic racism to push out or harass certain citizens. I am constantly harassed by realtors to buy my home. My home isn't a rental

property or for sale, but just my family legacy and I should be respected for that. I shouldn't have to fight to stay in my own city that I was raised in. I am barely staying a float, now this. Please remove these charges and state I am a single woman and solely live in my home alone. Please stop conjuring cost for home owners. I only plan to have my child live with me, no renting.

Sent from Kimberly L. Thomas' iPhone

From: [Ting Wu](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: I need help for rent without payment
Date: Sunday, March 19, 2023 3:42:43 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi. I am Jessie. I am a hard worker I have been living San Francisco 24 years. I bought one house and rent to tanner. Since 2014 to now. Only \$1500 for two bed and living nice house and can help me to pay bill. But. Now she. Don't pay rent. And the government side they don't need to pay and I can't take them out. I just want you to know some people they have money but they just don't want to because all coivd 19 fault. Why coivd fault belongs on us. They need to pay. Why the Tenancy Protection all on tennts side. What is protecting on the own. They don't pay they still can live the house and we can not do anything. Even we have a house for rent it is not meant we have a lot money. We have to hard work or work two oe three job to get money to support verythings we also need help. Why so unfair. UNFAIR. Why the responsibility on us. Sometimes I want to cry. I want to death but still can not take care the problem who can help. please please and please you can heart me. And help me. What we can do. They still can live in my house without pay. Hopefully you can see those. And help me and a lot of other friends small family We have a lot tenninas like that. Sent from my iPhone

From: [Patty Modellmog](#)
To: [Major, Erica \(BOS\)](#)
Subject: #3 board of supervisors - public comment - March 20th - 60 day grace period
Date: Monday, March 20, 2023 5:05:53 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good afternoon, Supervisors. My name is Patty Modellmog and I live in the Inner Richmond district.

Please support the proposal to create a 60 day wind-down period of the eviction protections. This will prevent a wave of preventable evictions.

Our own city department in charge of rent relief says this is the time they need. As a tenant, this is important to me because many of my neighbors and fellow community members have faced continued economic hardship due to the impacts of COVID-19, and increasing inflation and cost of living.

I am a local nonprofit professional, and my partner (who I reside with) is a SFUSD employee. We work directly with hardworking families, and are well aware they would face increased economic challenges without a 60-day wind-down period of eviction protections. Housing is at the top of the hierarchy of needs, and stable housing is directly linked to child and family outcomes. Providing a 60-day wind-down period of the eviction protections put in place in 2020 is essential to preventing evictions of hardworking families, the elderly, and the community in general.

Thank you for your consideration!

--

Patty Modellmog
pattyemoddmog@gmail.com
(949) 423-9377



MYRNA MELGAR

DATE: April 12, 2023

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Myrna Melgar, Chair, Land Use and Transportation Committee

RE: Land Use and Transportation Committee
COMMITTEE REPORTS

Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matters are of an urgent nature and request they be considered by the full Board on Tuesday, April 18, 2023, as Committee Reports:

230311 Administrative Code - COVID-19 Tenant Protections
Sponsors: Preston; Walton, Peskin, Ronen, and Chan

Ordinance amending the Administrative Code to extend by 60 days the restrictions on evicting or imposing late fees on residential tenants who could not pay rent that came due during the COVID-19 emergency; and including within those restrictions units where the rent is controlled or regulated by the City.

220340 Planning Code - Neighborhood Commercial and Mixed Use Zoning Districts
Sponsor: Dorsey

Ordinance amending the Planning Code to update and reorganize Neighborhood Commercial and Mixed Use Zoning District controls, including, among other things, to 1) permit Accessory Arts Activities, and production, wholesaling, and processing of goods and commodities, to occupy more than one-third of total space in Commercial (C), Downtown Residential (DTR), Eastern Neighborhoods Mixed Use, Mission Bay, and Residential-Commercial (RC) districts; 2) principally permit Arts Activities, Job Training, Public Facility, and Social Service and Philanthropic Facility uses in the Folsom Street Neighborhood Commercial Transit (NCT), SoMa NCT, Regional Commercial, and certain Eastern Neighborhoods Mixed Use districts, and in historic and nonconforming commercial buildings in Residential Enclave districts; 3) principally permit General Entertainment in the Folsom Street NCT district; 4) principally permit Bar uses on the second floor in the Folsom Street NCT and Regional Commercial districts; 5) principally permit Nighttime Entertainment on properties fronting Folsom Street between 7th Street and Division Street and

properties fronting 11th Street between Howard Street and Division Street unless they are zoned Residential Enclave District (RED) or Residential Enclave District - Mixed (RED-MX); 6) principally permit Job Training, Public Facility, and Social Service and Philanthropic Facility Uses in the SoMa NCT District and certain Eastern Neighborhoods Districts; 7) require that large developments in South of Market Mixed use districts which contain commercial spaces provide a mix of commercial space sizes; 8) require that all Nighttime Entertainment uses comply with the Entertainment Commission's good neighbor policies; and 9) remove certain limitations on location for Nighttime Entertainment and Animal Services uses in the Western SoMa Special Use District; and adopting environmental findings, findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

220971**Planning Code - Gates, Railings, and Grillwork Exceptions for Cannabis Retail Uses and Existing Non-Residential Uses and Change in 75% Gate Transparency Requirement to 20%****Sponsors: Safai; Preston and Melgar**

Ordinance amending the Planning Code to exempt certain existing gates, railings, and grillwork at Non-Residential uses from transparency requirements, subject to the provisions for noncomplying structures, and exempt Cannabis Retail uses from transparency requirements for gates, railings, and grillwork for a three-year period, provided the Cannabis use installs artwork on any new exempt gates, and require removal of gates, railings, and grillwork installed pursuant to that exemption when a Cannabis Retail use's business permit becomes invalid or the business ceases to operate, and change the transparency requirement for gates, railings, and grillwork in Neighborhood Commercial Districts, Commercial Districts, Residential-Commercial Districts, and Mixed Use Districts from 75% to 20% open to perpendicular view with additional requirements for fire safety; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.

These matters will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, April 17, 2023, at 1:30 p.m.

Member, Board of Supervisors
District 7



City and County of San Francisco

MYRNA MELGAR

DATE: March 14, 2023

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Supervisor Myrna Melgar, Chair, Land Use and Transportation Committee

RE: Land Use and Transportation Committee – Committee Reports

Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matters are of an urgent nature and request they be considered by the full Board on Tuesday, March 21, as Committee Reports:

230260 Administrative Code - COVID-19 Tenant Protections

Ordinance amending the Administrative Code to extend by 60 days the restrictions on evicting or imposing late fees on residential tenants who could not pay rent that came due during the COVID-19 emergency

230263 Conveyance of Real Property - Land Dedication by 598 Brannan Street Phase 1, L.L.C. - 160 Freelon Street - Inclusionary Affordable Housing

Resolution approving and authorizing an agreement with 598 Brannan Street Phase 1, L.L.C. for the conveyance of a parcel of real estate, consisting of approximately 12,800 square feet of land within Assessor's Parcel Block No. 3777, located at 160 Freelon Street in the City and County of San Francisco to the Mayor's Office of Housing and Community Development pursuant to the land dedication process permitted under Planning Code, Section 249.78(e)(2)(B); adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications to the agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the agreement or this Resolution, and take certain actions in furtherance of this Resolution, as defined herein.

These matters will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, March 20, 2023, at 1:30 p.m.

A handwritten signature in blue ink, appearing to read 'Myrna Melgar', with a stylized, cursive script.

Myrna Melgar
District 7
San Francisco Board of Supervisors

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Eric D. Shaw, Director, Mayor's Office of Housing and Community Development
Christina Varner, Acting Executive Director, Rent Board

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

DATE: March 14, 2023

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Preston on March 7, 2023.

File No. 230260

Ordinance amending the Administrative Code to extend by 60 days the restrictions on evicting or imposing late fees on residential tenants who could not pay rent that came due during the COVID-19 emergency.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: Erica.Major@sfgov.org.

cc: Lydia Ely, Mayor's Office of Housing and Community Development
Brian Cheu, Mayor's Office of Housing and Community Development
Maria Benjamin, Mayor's Office of Housing and Community Development
Sheila Nickolopoulos, Mayor's Office of Housing and Community Development

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

- ☒ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- ☐ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor [] inquires..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No. [] from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No. []
- ☐ 9. Reactivate File No. []
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on []

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Supervisors Preston; Walton, Peskin, Ronen

Subject:

Administrative Code - COVID-19 Tenant Protections

Long Title or text listed:

Ordinance amending the Administrative Code to extend by 60 days the restrictions on evicting or imposing late fees on residential tenants who could not pay rent that came due during the COVID-19 emergency.

Signature of Sponsoring Supervisor: []

BOARD of SUPERVISORS



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MEMORANDUM

LAND USE AND TRANSPORTATION COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Myrna Melgar, Chair, Land Use and Transportation Committee

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

DATE: April 18, 2023

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, April 18, 2023

The following file should be presented as a **COMMITTEE REPORT** at the Board meeting, Tuesday, April 18, 2023. This item was acted upon at the Committee Meeting on Monday, April 17, 2023, at 1:30 p.m., by the votes indicated.

Item No. 29 **File No. 230311**

Ordinance amending the Administrative Code to extend by 60 days the restrictions on evicting or imposing late fees on residential tenants who could not pay rent that came due during the COVID-19 emergency; and including within those restrictions units where the rent is controlled or regulated by the City.

RECOMMENDED AS A COMMITTEE REPORT

Vote:

Supervisor Myrna Melgar - Aye
Supervisor Dean Preston - Aye
Supervisor Aaron Peskin - Aye

cc: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy
Anne Pearson, Deputy City Attorney