

REVISED LEGISLATIVE DIGEST
(Amended in Committee, 5/1/2023)

[Administrative Code - Displaced Tenant Preference in City Affordable Housing]

Ordinance amending the Administrative Code to expand the Displaced Tenant Preference in City Affordable Housing Programs to cover tenants where the tenant’s unlawful unit has been removed as a residential unit by a written approval by the Planning Commission of the demolition, conversion, or merger of the residential unit, or denial by the Planning Commission of an application to legalize the unlawful unit.

Existing Law

Current law provides preference in all City Affordable Housing Programs to certain “Displaced Tenants” residing in San Francisco under four categories: (1) tenants who have been evicted based on a Notice of Intent to Withdraw Units under the Ellis Act (California Government Code Sections 7060 *et seq*); (2) tenants who have been evicted based on an “Owner Move-In” under Administrative Code Section 37.9(a)(8); (3) tenants who are forced to vacate by a public safety official due to fire and cannot return to their units within six months; and (4) tenants who live in a multi-family residential building that is no longer restricted to ensure affordability based on income under a regulatory agreement or other affordable housing restriction, and the landlord of such residential building has increased the total annual rent to be more than 40% of the tenant’s total annual household income.

Amendments to Current Law

The purpose of this ordinance is to expand the definition of “Displaced Tenant” to tenants who will be displaced because (a) the tenant resides in an unlawful residential unit, (b) the unlawful residential unit was approved by the Planning Commission to be removed by demolition, conversion, or merger of residential units, or denial by the Planning Commission of an application to legalize the unlawful unit, and (c) due to such Planning Commission’s approval to remove the unlawful residential unit or denial of an application to legalize the unlawful unit, the tenant either has received a notice to vacate the unlawful residential unit or intends to vacate the unlawful residential unit.

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