

1 [Settlement of Unlitigated Claim - 1231 Market Street Owner L.P. - \$19,500,000]

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3 **Resolution approving the settlement of the unlitigated claim filed by 1231 Market Street**  
4 **Owner L.P. against the City and County of San Francisco for \$19,500,000; the claim was**  
5 **filed on April 13, 2023; the claim involves allegations of property damage to the Hotel**  
6 **Whitcomb caused by shelter-in-place (SIP) hotel guests during the COVID-19 pandemic**  
7 **and resulting loss of use; other material terms of the settlement include a mutual full**  
8 **and final release, with each party to bear their own costs.**

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10 WHEREAS, 1231 Market Street Owner L.P. filed Government Code Claim No. 23-  
11 01978 on April 13, 2023, against the City and County of San Francisco (Claim); and

12 WHEREAS, The Claim involves allegations of property damage to the Hotel Whitcomb  
13 caused by shelter-in-place hotel guests during the COVID-19 pandemic and resulting loss of  
14 use; and

15 WHEREAS, The Human Services Agency has recommended settlement of the Claim  
16 by payment of \$19,500,000 and other material terms of the settlement include a mutual full  
17 and final release, with each party to bear their own costs; now, therefore, be it

18 RESOLVED, That pursuant to Administrative Code, Section 10.22, the Board of  
19 Supervisors hereby authorizes the City Attorney to settle and compromise the Claim by  
20 payment of \$19,500,000 and other material terms of the settlement include a mutual full and  
21 final release, with each party to bear their own costs; the Controller is authorized to transfer  
22 appropriated funds between departments to pay the cost of the settlement described herein.

1 APPROVED:

2 DAVID CHIU  
3 City Attorney

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

4 /s/  
5 FREDERICK SHEINFELD  
6 Chief Claims Deputy

/s/  
TRENT RHORER  
Executive Director  
San Francisco Human Services Agency

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8 FUNDS AVAILABLE:

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10 /s/ Ben Rosenfield  
11 BEN ROSENFELD  
12 Controller

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