

File No. 240818

Committee Item No. \_\_\_\_\_

Board Item No. 20

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: September 3, 2024

### Cmte Board

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- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
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- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

### OTHER

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Prepared by: Lisa Lew

Date: August 30, 2024

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Intent to Expand Local Rent Control Protections]

2

3 **Resolution declaring the Board of Supervisors intent to expand local rent control**  
4 **protections to go into effect if the Costa-Hawkins Act is repealed via ballot measure on**  
5 **November 5, 2024.**

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7 WHEREAS, State preemption occurs when a state legislature restricts or withdraws the  
8 authority of local government to act on a particular issue of local concern; and

9 WHEREAS, State preemption has been used by corporate lobbyists as a strategy to  
10 stifle local governments' ability to engage in innovative progressive policymaking; and

11 WHEREAS, In the last decade, state preemption has increased, especially in  
12 Republican-controlled state legislatures, primarily orchestrated by the American Legislative  
13 Exchange Council (ALEC), an industry-funded trade organization, which has in many states,  
14 restricted local government's ability to regulate the minimum wage, paid sick days,  
15 Transportation Network Companies (TNC's), municipal broadband, sanctuary city policies, fair  
16 scheduling, short-term rentals, inclusionary zoning, and rent regulation; and

17 WHEREAS, Coalitions of stakeholders, advocates and local governments across the  
18 nation have pushed back on harmful state preemption, and sought to return the right of local  
19 governments to innovate in areas of policy to protect workers, consumers, tenants and the  
20 environment; and

21 WHEREAS, California, along with 30 other states, preempts and limits local  
22 governments' ability to enact rent control or add vacancy decontrol through the Costa-  
23 Hawkins Act, a state law which exempts rent control on buildings built after 1995 or backdated  
24 to the date of the enactment of a local rent control ordinance, which is after June 1979 in San  
25 Francisco; and

1           WHEREAS, 35% of renter households overall are rent burdened in San Francisco  
2 according to California Housing Partnership data, and for very low-income renter households  
3 that figure jumps to 61%, as defined by those paying 30% or more of their income on rent,  
4 and median rents have risen in San Francisco to \$2,950 for one-bedroom units, and \$3,950  
5 for two-bedroom units, according to May 2024 data from a national report on rental trends in  
6 major cities; and

7           WHEREAS, The real estate industry has claimed that rent control has a chilling effect  
8 on new construction, yet this does not match up with the data, based on a recent Haas  
9 Institute Report that showed the six cities with rent control in the SF Bay Area in fact had  
10 produced more housing units per capita than cities without rent control; and

11           WHEREAS, The repeal of Costa Hawkins will allow, but not require, local jurisdictions  
12 like San Francisco to address the gaps in administering rent control, with options to broaden  
13 rent stabilization and protections for housing that do not currently fall under this regime,  
14 including: units built after 1979, housing stock not currently subject to rent control, and rent-  
15 controlled units where landlords can reset rents to market rate via vacancy decontrol, thus  
16 weakening the impact of rent control laws over time; and

17           WHEREAS, The Courts already limit rent control laws to ensure that landlords get a fair  
18 return on their investments and there is no need for state intervention to further limit local rent  
19 control laws, the scope of which should be decided not by the state legislature but by local  
20 voters and local legislative bodies; and

21           WHEREAS, On July 9, 2024, the San Francisco Board of Supervisors adopted Board  
22 File No. 240684 [Supporting the Justice for Renters Act - California State Proposition -  
23 November 5, 2024 Ballot] by a supermajority vote of 8-2, adopting an official city policy  
24 position in support of a statewide proposition to repeal the Costa-Hawkins Act for the  
25 November 5, 2024 election; and

1           WHEREAS, The City of San Francisco may enact laws which go into effect upon the  
2 removal of state preemption; now, therefore, be it

3           RESOLVED, That the City and County of San Francisco affirms its support for strong  
4 rent control to protect tenants and respond to tenants' needs for affordable, stable, and secure  
5 housing; and, be it

6           FURTHER RESOLVED, That the City and County of San Francisco objects to state  
7 interference driven by corporate interests, and specifically state preemption of local rent  
8 control laws; and, be it

9           FURTHER RESOLVED, That the San Francisco Board of Supervisors intends to enact  
10 a local law to expand local rent control protections that will go into effect if the Costa-Hawkins  
11 Act is repealed via ballot measure on November 5, 2024.

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## 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):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: