

REVISED LEGISLATIVE DIGEST

(10/1/2012, Amended in Committee)

[Administrative Code - Public Housing Right to Return to Revitalized Housing]

Ordinance amending the San Francisco Administrative Code by: 1) adding Chapter 39, Sections 39.1 through 39.9, to establish the San Francisco Right to Revitalized Housing Ordinance and set City policy regarding the Right to Return to Revitalized Public Housing Units; and 2) adding Section 37.6(n) to establish new powers for the San Francisco Residential Rent Stabilization and Arbitration Board in connection with the new San Francisco Right to Revitalized Housing Ordinance.

Existing Law

There is currently no existing City law regarding this subject matter. There is existing Federal law applicable to operations and development of public housing, including but not limited to the United States Housing Act of 1937, as amended (42 U.S.C. §1437). There is existing Federal and State law applicable to relocation assistance, including but not limited to, the California Relocation Assistance Law, Cal. Govt. Code § 7260 et seq.; Uniform Relocation Assistance and Real Property Acquisitions Policies Act, 24 U.S.C. 42 U.S.C. §4601 et seq.; the Housing and Community Development Act, 42 U.S.C. §5301 et seq.; and the United States Housing Act, 42 U.S.C. § 1437. There is also existing Federal and State law governing replacement housing requirements for public housing and Redevelopment Area developments, including but not limited to the Community Redevelopment Law, Cal. Health & Safety Code §33000 et seq. and the Housing and Community Development Act, 42 U.S.C. §5301 et seq. There is also existing law regarding the powers and duties of the San Francisco Residential Rent Stabilization and Arbitration Board.

Amendments to Current Law

It is the intent and purpose of the City to preserve the supply of public housing in the City, prevent or minimize permanent displacement and the hardship associated with the displacement and relocation of public housing tenants as a result of a public housing development project, and protect the rights of public housing tenants to: (i) maintain their sense of community, (ii) return to revitalized and fully comparable dwelling units upon completion of a public housing development project, and to (iii) require the responsible City department to conduct a review of any related relocation plans, and to (iv) provide independent, third-party oversight of relocation appeals associated with public housing redevelopment. This Ordinance proposes to amend current law to provide such protections. The Ordinance establishes, amongst other things:

(i) an administrative framework ~~and timeline~~ for the City's involvement in the relocation planning process for public housing development projects that obtain financial assistance from the City;

(ii) the right of all current public housing tenants to return to any new development constructed in connection with a public housing development project, provided they have not been evicted from public housing; and

(iii) for all current public housing tenants being relocated from any public housing development project that receives financial assistance from the City, the right to have their relocation claims heard by the San Francisco Residential Rent Stabilization and Arbitration Board ~~Relocation Appeals Board~~.