


BOARD of SUPERVISORS



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MEMORANDUM

TO: Barbara A. Garcia, Director, Department of Public Health
Tom Hui, Director, Department of Building Inspection
Jeff Kositsky, Director, Department of Homelessness and Supportive Housing
John Rahaim, Director, Planning Department
Joanne Hayes-White, Chief, Fire Department
Trent Rhorer, Executive Director, Human Services Agency

FROM:  Derek Evans, Clerk, Rules Committee
Board of Supervisors

DATE: March 22, 2017

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee has received the following proposed legislation, introduced by Supervisor Safai on March 14, 2017:

File No. 170279

Resolution urging the creation of an Emergency Housing and Safety Working Group to provide advice regarding safety issues in unauthorized and uninhabitable units, minimize displacement, and help tenants.

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: derek.evans@sfgov.org.

c: Greg Wagner, Department of Public Health
Colleen Chawla, Department of Public Health
William Strawn, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection
Scott Sanchez, Planning Department
Lisa Gibson, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department

Joy Navarrete, Planning Department
Jeanie Poling, Planning Department
Kelly Alves, Fire Department
Krista Ballard, Human Services Agency

1 [Urging the Creation of an Emergency Housing and Safety Working Group]

2

3 **Resolution urging the creation of an Emergency Housing and Safety Working Group to**
4 **provide advice regarding safety issues in unauthorized and uninhabitable units,**
5 **minimize displacement, and help tenants.**

6

7 WHEREAS, Media reports in February and March of 2017 highlighted the horrendous
8 conditions that 27 people, primarily working poor, monolingual Latinos, were living in in
9 subterranean, unauthorized and legally uninhabitable units on Persia Street; and

10 WHEREAS, Tenants have a right to inhabit a safe, habitable and legally authorized
11 dwelling; and

12 WHEREAS, This Board of Supervisors is committed to taking aggressive legal action
13 on behalf of its residents to assure compliance with existing habitability laws; and

14 WHEREAS, Tenants are at times forced to move out of their unauthorized dwelling in
15 San Francisco with short notice because the building or unauthorized units is declared
16 uninhabitable and, thus, are subsequently rendered homeless and thrown into an already
17 overcrowded shelter system; and

18 WHEREAS, The event of a tenant having to vacate an unauthorized *and* uninhabitable
19 unit because of a slum landlord is currently *not explicitly* treated as an “emergency” by
20 existing law – only fire, devastation, or earthquake trigger housing and emergency assistance
21 – so San Franciscans are being precluded from receiving emergency and transitional housing
22 assistance, food, clothing, and financial assistance following an order to vacate; and

23 WHEREAS, A coordinated and interdisciplinary approach by the City is needed to
24 effectively and immediately respond to persons who must vacate their unauthorized and
25 uninhabitable unit so that homelessness is not the unintended result; and

1 WHEREAS, Relocation fees are sometimes provided to some tenants who are forced
2 to vacate their premises after it has been “red-tagged” or deemed uninhabitable, but this is a
3 short-term response and reached on a case-by-case basis, thus, some tenants receive no
4 relocation fees or other financial assistance; now, therefore, be it

5 RESOLVED, That the Board calls for the creation of the Emergency Housing and
6 Safety Working Group, consisting of members from the Department of Public Health, the
7 Human Services Agency, the Mayor’s Office of Housing and Community Development, the
8 Mayor’s Senior Housing Advisor, the Department of Building Inspection, the Department of
9 Homelessness and Supportive Housing, the Planning Department, and the Fire Department,
10 with legal support from the City’s Attorney’s Office (henceforth, “participating departments”);
11 and, be it

12 FURTHER RESOLVED, That the Board urges the Emergency Housing and Safety
13 Working Group to develop and draft a plan (1) indicating how prevalent are unauthorized and
14 uninhabitable units across the City (i.e., how many units cannot be legalized or brought in
15 compliance with the City’s Housing Code); (2) implementing a Citywide response for
16 participating departments on how to effectively address safety issues in unauthorized and
17 uninhabitable units, minimize displacement, and help tenants receive emergency food and
18 shelter as well as transitional housing; (3) advise the Board on the possible expansion of the
19 San Francisco Fire Victims Assistance Fund, codified at Administrative Code,
20 Sections 10.100-298, and the Good Samaritan rule, codified at Administrative Code,
21 Section 37.2(a)(1)(D), for the latter, to come to a consensus on whether or not to explicitly
22 cover this type of emergency displacement in lieu of the existing “catch-all” phrase (“or similar
23 emergency situation” which is immediately preceded by natural disasters, e.g., fire,
24 earthquake, and landslide); and (4) submit this plan to the Board of Supervisors within 3
25 months of the enactment of this resolution.