

LEGISLATIVE DIGEST

[Administrative Code - Tenant Assistance Fund for Hazardous Housing]

Ordinance amending the Administrative Code to establish the Tenant Assistance Fund for Hazardous Housing and to allow certain eligible tenants displaced due to administrative orders to vacate issued by the Department of Building Inspection or the Fire Department to receive financial assistance from the Fund for up to two years.

Existing Law

San Francisco law does not contain a fund specifically to assist San Francisco residents ordered to vacate their homes pursuant to Fire Department or Department of Building Inspection orders based on hazardous code violations. In California Health and Safety Code Section 17975 et seq., the State entitles tenants deemed eligible by the local code enforcement agency to the equivalent of two months' market rate rent plus an amount sufficient for utility service deposits, and return of any security deposit, at the expense of the building owner or designated agent, and contemplates that such relief may be cumulative of remedies available in other federal, state, and local laws.

Amendments to Current Law

This proposal establishes a Tenant Assistance Fund for Hazardous Housing ("Fund"). At the discretion of the Director of the Human Services Agency ("HSA") or his/her designee ("Director"), a tenant who has vacated or is vacating a residential unit or equivalent pursuant to a Fire Department and/or Department of Building Inspection order to vacate issued within the past seven days and meets other requirements may receive rental assistance, at the Director's determination, of up to 100% of the current established fair market rent for San Francisco on a per residential unit basis for up to a maximum of two years per unit. The proposal directs HSA to adopt a policy for the proposal's implementation within 60 days of its effective date. HSA may also provide eligible tenants with information and/or referrals to housing programs and/or supportive services.

In addition, the proposal establishes that code violations underpinning such orders to vacate, and City activities including administration and disbursements from the Fund, constitute nuisance abatement. An owner or other party the Director deems responsible must reimburse the City its nuisance abatement expenses. Where the responsible party fails to timely do so, the City Attorney may commence an action to recover these costs, as well as its attorney fees and litigation expenses, penalties as provided for in the proposal, and other recovery and relief as provided for elsewhere in State and local law. The City may also or alternatively impose a nuisance abatement lien. The proposal further requires the owner or other party responsible for a building to notify each tenant of an order to vacate's contents and meaning, and the contents of this proposal.

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