

1 [Settlement of Lawsuit - Small Property Owners of San Francisco Institute - \$110,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by Small Property Owners of San**
4 **Francisco Institute against the City and County of San Francisco for \$110,000; the**
5 **lawsuit was filed on January 28, 2014, in San Francisco Superior Court, Case No.**
6 **CPF-14-513453; entitled Small Property Owners of San Francisco Institute v. City and**
7 **County of San Francisco, et al.; the lawsuit involves a claim for attorney’s fees and**
8 **costs following Petitioner’s challenge to Ordinance No. 286-13 on the grounds, in part,**
9 **that Section 181(c)(3) is preempted by the state Ellis Act.**

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11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
13 authorizes the City Attorney to settle the action entitled Small Property Owners of San
14 Francisco Institute v. City and County of San Francisco, et al., San Francisco Superior Court,
15 Case No. CPF-14-513453 by the payment of \$110,000. The lawsuit involves a claim for
16 attorney’s fees and costs following Petitioner’s challenge to Ordinance No. 286-13 on the
17 grounds, in part, that section 181(c)(3) is preempted by the state Ellis Act.

18 Section 2. The above-named action was filed in San Francisco Superior Court on
19 January 28, 2014, and the following parties were named in the lawsuit: Petitioner Small
20 Property Owners of San Francisco Institute and Respondents City and County of San
21 Francisco, Board of Supervisors of the City and County of San Francisco, San Francisco
22 Planning Commission, and San Francisco Planning Department.

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APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney

KATE STACY
Deputy City Attorney

FUNDS AVAILABLE:

BEN ROSENFELD
Controller

RECOMMENDED:

SAN FRANCISCO PLANNING
DEPARTMENT

JOHN RAHAIM
Director of Planning

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