

TENDERLOIN HOUSING CLINIC

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February 1, 2019

VIA HAND DELIVERY

San Francisco Board of Supervisors
One Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Re: *1049 Market Street Settlement Ordinance*

Dear Members of the Board:

I represent fifteen current tenants and five former tenants at 1049 Market Street, San Francisco, CA. On behalf of my clients, I write in support of the settlement ordinance to be introduced before the Board on February 5, 2019.

The tenants are long-term, primarily low income, rent controlled tenants of 1049 Market Street, located in the mid-Market Street area of San Francisco. The tenants are artists, musicians, writers, performers and small business persons who began living in the building before mid-Market became a center for the tech industry in San Francisco. Although the first five floors of the building were permitted as offices, due to the difficulties in securing stable tenants when mid-Market was a blighted area, the previous owner of the building allowed tenants to live in these units despite the lack a permit for residential occupancy. However, in 2013, in response to City enforcement efforts, the current owner began eviction proceedings to terminate the tenancies in 77 units in the building. These efforts resulted in many tenants vacating the property. I began representing 22 of the tenants in the fall of 2013. The eviction proceedings eventually resulted in the service of Ellis Act eviction notices to the remaining tenants in February 2015, and subsequent litigation that went to trial in March of 2018.

Due to the efforts of the tenants, the owner, the Mayor's Office, the City Attorney, and Superior Court Judge Anne-Christine Massullo, the parties and the City reached a global resolution and settlement that will legalize and preserve fifteen units in the building (located on the second floor) as permanently affordable

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housing for artists, and also permits the owner to return the remaining floors in the building to office use.

Through funding from the City's affordable housing program, these fifteen units will be renovated, legalized, and preserved as permanently affordable housing for the low-income residents and artists. Creating affordable housing in the mid-Market area is important to preserve the economic diversity in the area, as well as provide housing for artists near the cultural centers of our City.

I have represented artists facing displacement from our City for over 30 years. Artists face unique challenges in finding and affording living space that accommodates their work as artists, and unfortunately we have had an exodus of artists leaving San Francisco due to the lack of safe, affordable live/work spaces. Each of these dwelling units will be integrated into the work space for artists and artisans under Planning Code § 204.4. The building, already a fully-sprinklered Type III building, will be fire safe, with updated HVAC, remodeled bathrooms and a new elevator.

The Ellis Act is primarily used to evict long-term rent-controlled tenants who have affordable rents. Every rent-controlled unit lost due to eviction under the Ellis Act is a unit lost to the affordable rental housing stock. This settlement will preserve fifteen units of affordable housing in the rapidly gentrifying mid-Market area, and keeps fifteen tenants in their homes. I urge you to pass this Ordinance.

Thank you for your attention in this matter.

Very truly yours,



Stephen L. Collier

Attorney for Chad Potter, Karl Haas, Ann Naomi Cooper, Peter Taylor, Adam Wojewidka, Brendan Barthel, Christopher Figueroa, Bogdan Marcol, Melissa Bracero, Chris Baker, Chandra Redack, Carina Zona, Darren Brown, Benjamin Cady, Patrick Cook, Manuel Rodriguez, Brad Alder, Anthony Breaux, Stephanie Goss and Veronica Johnson.