

File No. 200611 Committee Item No. 2
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date September 28, 2020

Board of Supervisors Meeting Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Referral FYI 061620</u> |
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Completed by: Erica Major Date September 24, 2020
Completed by: Erica Major Date _____

[Administrative Code - COVID-19 Rent Resolution and Relief Fund]

Ordinance amending the Administrative Code to establish the COVID-19 Rent Resolution and Relief Fund, to provide financial support to landlords whose tenants have been unable to pay rent due to the COVID-19 pandemic.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font. **Additions to Codes** are in *single-underline italics Times New Roman font*. **Deletions to Codes** are in *strikethrough italics Times New Roman font*. **Board amendment additions** are in double-underlined Arial font. **Board amendment deletions** are in ~~strikethrough Arial font~~. **Asterisks (* * * *)** indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. Article XIII of Chapter 10 of the Administrative Code is hereby amended by adding Section 10.100-51.1, to read as follows:

SEC. 10.100-51.1. COVID-19 RENT RESOLUTION AND RELIEF FUND.

(a) Establishment of Fund. The COVID-19 Rent Resolution and Relief Fund (the “Fund”) is hereby established as a category eight fund to provide financial support to landlords of residential rental units as defined in Chapter 37 of the Administrative Code whose tenants have been unable to pay rent due to the COVID-19 pandemic.

(b) Use of Fund. The Fund shall be used to provide grants to landlords who have agreed to waive back rent that became due during the COVID-19 state of emergency. The grants shall cover up to 50% of the rent that the landlord has waived, up to \$3,000 per unit per month. Any monies in the Fund that are not expended by December 31, 2022 may be used by the Mayor’s Office of Housing and Community Development (“MOHCD”) for back rent payment and eviction prevention programs.

1 (c) Administration of Fund.

2 (1) Responsible Agency. MOHCD shall administer the Fund, shall develop forms for
3 landlords to use when applying for grants, and may consult with other City agencies such as the
4 Residential Rent Stabilization and Arbitration Board (“Rent Board”). In consultation with the
5 Controller’s Office and any other City agency as MOHCD deems appropriate, the MOHCD Director
6 or the Director’s designee shall adopt rules for the distribution of monies in the Fund consistent with
7 this Section 10.100-51.1. MOHCD shall make these rules available on its website and at its office.

8 (2) Criteria for Disbursement. MOHCD’s rules regarding the distribution of monies
9 from the Fund shall incorporate and develop the following criteria:

10 (A) Eligibility. To be eligible to receive a grant from the Fund, the landlord must
11 submit an application signed under penalty of perjury by both the landlord and the tenant that
12 establishes all of the following: (i) the grant request is based on unpaid rent that initially became due
13 during the COVID-19 state of emergency or up to 60 days thereafter; (ii) the tenant was unable to pay
14 the rent due to COVID-19 related income loss or expenses; (iii) the landlord will waive and fully
15 release the tenant from any obligation to pay rent for the entire period covered by the grant, even
16 though the grant will cover only 50% of the amount owed for that period; and (iv) the tenant still
17 resides in the rental unit and has no present intent to vacate.

18 (B) Priority. To the extent claims exceed available funds, MOHCD shall give priority
19 to small landlords facing hardship. For purposes of this subsection (c)(2)(B), “small landlords” means
20 landlords with 10 or fewer rental units in the City, and “facing hardship” means that the unpaid rent
21 is likely to cause the landlord to become unable to pay mortgage payments, perform other preexisting
22 obligations, or complete necessary repairs at the property. MOHCD may also develop additional
23 criteria and procedures to allocate funds should claims exceed available funds.

24 (3) Outside Consultation. MOHCD may consult with organizations representing the
25 interests of landlords and/or tenants regarding its implementation of this Section 10.100-51.1.

1
2 Section 2. Background.

3 It is the intent of the Board of Supervisors to appropriate to the COVID-19 Rent
4 Resolution and Relief Fund 50% of the revenues in the General Fund that are generated from
5 any real property transfer tax increase that may be passed by the San Francisco electorate in
6 the November 3, 2020 election, although nothing in this Section 10.100-51.1 requires the City
7 to appropriate any revenues from such real property transfer tax increase for this purpose.
8 The Fund may also receive any legally available monies donated for the purpose set forth in
9 Section 1, including but not limited to other funds appropriated by the Board of Supervisors,
10 funding made available from the federal or State governments, and private donations and
11 grants.

12
13 Section 3. Effective Date. This ordinance shall become effective 30 days after
14 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
15 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
16 of Supervisors overrides the Mayor's veto of the ordinance.

17
18 APPROVED AS TO FORM:
19 DENNIS J. HERRERA, City Attorney

20 By: /s/ _____
21 MANU PRADHAN
22 Deputy City Attorney

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LEGISLATIVE DIGEST

[Administrative Code - COVID-19 Rent Resolution and Relief Fund]

Ordinance amending the Administrative Code to establish the COVID-19 Rent Resolution and Relief Fund, to provide financial support to landlords whose tenants have been unable to pay rent due to the COVID-19 pandemic.

Existing Law

The City does not currently have a program to award grants to residential landlords whose tenants have been unable to pay rent due to the COVID-19 pandemic.

Amendments to Current Law

The proposed ordinance would create a fund, to be known as the COVID-19 Rent Resolution and Relief Fund, from which the City could provide financial support to residential landlords who have agreed to waive back rent for tenants who were unable to pay their rent during the COVID-19 emergency. If a landlord waived a tenant's rent, the landlord could apply to the City for a grant from the Fund equal to 50% of the amount waived, up to \$3,000 per unit per month. The Mayor's Office of Housing and Community Development (MOHCD) would be in charge of administering the Fund. The Board of Supervisors would still need to appropriate money into the Fund. If the appropriated funds are not enough to cover all claims, MOHCD could prioritize small landlords (those with 10 or fewer units) who are facing hardship due to their tenants' inability to pay rent. Any monies in the Fund that MOHCD that have not been expended by December 31, 2022 would be reallocated to other back rent payment and eviction prevention programs.

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BOARD of SUPERVISORS



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1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Eric D. Shaw, Director, Mayor's Office of Housing and Community Development
Robert Collins, Executive Director, Rent Board
Ben Rosenfield, City Controller, Controller

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: June 16, 2020

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Preston on June 9, 2020:

File No. 200611

Ordinance amending the Administrative Code to establish the COVID-19 Rent Resolution and Relief Fund, to provide financial support to landlords whose tenants have been unable to pay rent due to the COVID-19 pandemic.

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: erica.major@sfgov.org.

cc: Eugene Flannery, Mayor's Office of Housing and Community Development
Amy Chan, Mayor's Office of Housing and Community Development
Todd Rydstrom, Controller
Peg Stevenson, Controller

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Supervisor Preston; Ronen, Mar, Walton, Haney

Subject:

Administrative Code - Social Housing Program Fund

The text is listed:

Ordinance amending the Administrative Code to establish the Social Housing Program Fund for the acquisition, creation, and operation of affordable Social Housing Developments.

Signature of Sponsoring Supervisor:

For Clerk's Use Only