

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

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3 **Ordinance amending the Administrative Code to modify the rules for the COVID-19**  
 4 **Rent Resolution Fund to 1) permit a landlord to obtain grant funds from the Fund to**  
 5 **cover the rent for any month where the tenant could not pay due to COVID-19; 2) delete**  
 6 **the monthly limits on the grant amounts a landlord may obtain from the Fund; 3) delete**  
 7 **the rule that a landlord may not receive grant funds without releasing the tenant from**  
 8 **the obligation to pay any remaining rent due; 4) provide that grant funds may be**  
 9 **awarded only if the tenant’s gross household income does not exceed 80% of area**  
 10 **median income; 5) require the Mayor’s Office of Housing and Community Development**  
 11 **to prioritize grants made on behalf of tenants facing eviction, while removing the**  
 12 **priority for small landlords; and 6) permit grants directly to tenants, in addition to**  
 13 **landlords.**

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

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

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

23 **SEC. 10.100-51.1. COVID-19 RENT RESOLUTIONS AND RELIEF FUND.**

24 \* \* \* \*

25

1 (b) **Use of Fund.** The Mayor’s Office of Housing and Community Development  
2 (“MOHCD”) shall administer the Fund to provide grants to landlords who se tenants have become  
3 unable to pay rent due to the financial impacts of COVID-19. MOHCD may also award the grants to  
4 tenants directly. have agreed to waive back rent that became due during the COVID-19 state of  
5 emergency. The grants shall cover up to 50% of the rent that the landlord has waived, up to \$3,000 per  
6 unit per month. In the case of small landlords facing hardship, the grant may exceed \$3,000 per month  
7 and may cover up to 65% of the rent that the landlord has waived. For purposes of this Section 10.100-  
8 51.1, the term “small landlords” means landlords with 10 or fewer rental units in the City; and the  
9 term “facing hardship” means that the unpaid rent is likely to cause the landlord to become unable to  
10 pay mortgage payments, perform other preexisting obligations, or complete necessary repairs at the  
11 property.

12 (c) **Administration of Fund.**

13 \* \* \* \*

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

16 (A) **Eligibility.** To be eligible to receive a grant from the Fund, the landlord must  
17 submit an application signed under penalty of perjury by both the landlord and the tenant that  
18 establishes all of the following: (i) the grant request is based on unpaid rent that initially  
19 became due on or after March 1, 2020 during the COVID-19 state of emergency or up to 60 days  
20 thereafter; (ii) the tenant was unable to pay the rent due to COVID-19 related income loss or  
21 expenses; (iii) the tenant’s gross household income does not exceed 80% of area median income as  
22 defined by MOHCD; the landlord will waive and fully release the tenant from any obligation to pay  
23 rent for the entire period covered by the grant, even though the grant will cover only a percentage of  
24 the amount owed for that period; and (iv) the tenant still resides in the rental unit and has no  
25 present intent to vacate. MOHCD may require documentation of the foregoing, and may also

1 develop additional requirements and procedures to ensure that landlords who receive grant  
2 funds continue to operate their units as residential rental units for at least 5 years after the  
3 date of the grant acceptance.

4 (B) **Priority.** MOHCD shall give priority for immediate access to grants from the Fund  
5 to tenants who have received a notice of eviction for non-payment of rent or who are under threat of  
6 eviction for non-payment of rent. ~~To the extent claims exceed available funds, MOHCD shall give~~  
7 ~~priority to small landlords facing hardship.~~ MOHCD may also develop additional criteria and  
8 procedures to allocate funds should claims exceed available funds.

9 \* \* \* \*

10  
11 Section 2. Effective Date. This ordinance shall become effective 30 days after  
12 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
13 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
14 of Supervisors overrides the Mayor’s veto of the ordinance.

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16 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
17 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
18 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
19 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
20 additions, and Board amendment deletions in accordance with the “Note” that appears under  
21 the official title of the ordinance.

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23 Section 4. Undertaking for the General Welfare. In enacting and implementing this  
24 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not  
25 assuming, nor is imposing on its officers and employees, an obligation for breach of which it is

