

File No. 210937

Committee Item No. 1

Board Item No. 27

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee Date October 20, 2021

Board of Supervisors Meeting Date October 26, 2021

#### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

#### OTHER (Use back side if additional space is needed)

- CEQA Determination
- Referral FYI 080321
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Completed by: Linda Wong Date October 12, 2021

Completed by: Brent Jalipa Date October 22, 2021

1 [Business and Tax Regulations Code - Affordable Housing Transfer Tax Exemption]

2  
3 **Ordinance amending the Business and Tax Regulations Code to exempt certain**  
4 **transfers of rent-restricted affordable housing occurring on or after January 1, 2021,**  
5 **from the increased transfer tax rates when the consideration or value of the interest or**  
6 **property conveyed equals or exceeds \$5,000,000; and affirming the Planning**  
7 **Department's determination under the California Environmental Quality Act.**

8  
9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
12 **Board amendment additions** are in double-underlined Arial font.  
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
14 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
15 subsections or parts of tables.

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

17 Section 1. The Planning Department has determined that the actions contemplated in  
18 this ordinance comply with the California Environmental Quality Act (California Public  
19 Resources Code Sections 21000 *et seq.*). Said determination is on file with the Clerk of the  
20 Board of Supervisors in File No. 210937 and is incorporated herein by reference. The Board  
21 affirms this determination.

22 Section 2. Legislative Findings.

23 The City is facing a crisis of a shortage of affordable rental housing. This ordinance  
24 would promote the creation and preservation of rent-restricted affordable housing by  
25 exempting transfers of rent-restricted affordable housing from the higher real property transfer

1 tax rates applicable to transfers of real property where the consideration or value of the  
2 interest or property conveyed is \$5,000,000 or more. This ordinance would also promote the  
3 continued viability of recently transferred rent-restricted affordable housing by including in the  
4 exemption from these higher rates transfers of such rent-restricted affordable housing that  
5 occurred between January 1, 2021 and the effective date of the ordinance.

6  
7 Section 3. Article 12-C of the Business and Tax Regulations Code is hereby amended  
8 by revising Section 1108.6, to read as follows:

9 **SEC. 1108.6. PARTIAL EXEMPTION FOR RENT-RESTRICTED AFFORDABLE HOUSING;**  
10 **~~COMMUNITY OPPORTUNITY TO PURCHASE ACT.~~**

11 (a) Definitions. For purposes of this Section 1108.6:

12 “Area Median Income” means the median income as published annually by MOHCD for the  
13 City and County of San Francisco, derived in part from the income limits and area median income  
14 determined by the United States Department of Housing and Urban Development, or its successor  
15 agency, for the San Francisco County metro fair market rent area, adjusted solely for household size,  
16 but not for high housing cost area.

17 “MOHCD” means the Mayor’s Office of Housing and Community Development, or its  
18 successor agency, department, or office.

19 “Recorded Restriction” means a document, agreement, or instrument, recorded with the  
20 County Recorder, that restricts the use of the property against which the document, agreement, or  
21 instrument is recorded.

22 “Rent-Restricted Affordable Housing” means a property described under either of the following  
23 subsections (1) or (2):

24 (1) A property transferred under Section 41B.6 of the Administrative Code, as that  
25 Section 41B.6 existed as of June 3, 2019; or

1 (2) A Residential Rental Property that satisfies both of the following subsections (2)(A)

2 and (2)(B):

3 (A) Meets the requirements of either of the following subsections (2)(A)(i) or

4 (2)(A)(ii):

5 (i) Prior to and up to the time of the transfer for which an exemption is  
6 claimed under this Section 1108.6, was granted a welfare exemption by the County Assessor under  
7 California Revenue and Taxation Code Section 214(g) for all residential units in the property; or

8 (ii) Prior to and up to the time of the transfer for which an exemption is  
9 claimed under this Section 1108.6, was unoccupied, uninhabited, or unused for residential or  
10 commercial purposes and contained no structures for which such uses were legally permissible; and

11 (B) At the time of the transfer for which an exemption is claimed under this  
12 Section 1108.6 is, or concurrently with such transfer becomes, subject to a Recorded Restriction with a  
13 remaining term of no less than 55 years from the later of the date of the transfer or the date the  
14 property becomes available for residential rental use under such Recorded Restriction, provided that  
15 such Recorded Restriction, at a minimum:

16 (i) limits the maximum household income for each residential rental unit  
17 at initial occupancy to no more than 120% of Area Median Income; and

18 (ii) sets a maximum household income limit applicable at initial  
19 occupancy for each residential rental unit (“Unit Maximum Income”) such that the average of all Unit  
20 Maximum Incomes in the property does not exceed 80% of Area Median Income; and

21 (iii) limits the maximum monthly rent for each residential rental unit to  
22 no more than either:

23 a. the tenant-paid portion of the contract rent as determined by  
24 the San Francisco Housing Authority for residential tenants holding Section 8 vouchers or certificates;  
25 or

1 b. one-twelfth of 30% of the Unit Maximum Income; or  
2 c. if the household income of the residential tenants in a  
3 residential rental unit exceeds the Unit Maximum Income after initial occupancy, one-twelfth of 30% of  
4 the household income of the residential tenants; and

5 (iv) provides for the regulation, monitoring, and enforcement of the  
6 restrictions in this subsection (2)(B) by a governmental agency.

7 For purposes of this subsection (2)(B) only, a “residential rental unit” does not  
8 include a unit for an onsite property manager.

9 “Residential Rental Property” means a property that may only be used to rent to residential  
10 tenants, including an onsite property manager, and excluding travelers, vacationers, or other similarly  
11 transient individuals, except that it may include: (1) up to 30% of the square footage of all floors other  
12 than the ground floor for non-profit space serving residents and/or the community, such as childcare  
13 centers, health clinics, or job training centers; and (2) any amount of square footage of the ground  
14 floor for non-residential space.

15 “Section 41B.6 of the Administrative Code, as that Section 41B.6 existed as of June 3, 2019”  
16 means the text of Section 41B.6 in Ordinance No. 79-19, on file with the Clerk of the Board of  
17 Supervisors in File No. 181212.

18 ~~(a)~~ (b) **Exemption from Increased Tax Rate.** As authorized by the last sentence of  
19 Section 1102 of this Article 12-C, the increased tax rate<sub>s</sub> imposed by subsections (d), (e),  
20 and (f) of Section 1102 shall not apply with respect to any deed, instrument<sub>t</sub> or writing that  
21 effects a transfer ~~of Rent-Restricted Affordable Housing under Section 41B.6 of the Administrative~~  
22 ~~Code, as that Section 41B.6 exists as of the effective date of this Section 1108.6.~~ The lower tax rate  
23 imposed by subsection (c) of Section 1102 shall apply to the entire consideration or value of  
24 the interest or property conveyed by a deed, instrument<sub>t</sub> or writing that is subject to the  
25 exemption in this subsection ~~(a)~~ (b).

1            ~~(b)~~(c) **Requirements for Exemption.**

2            (1) Except as provided in subsection (c)(2), every person claiming the exemption  
3 under subsection ~~(a)~~(b) must:

4            ~~(A)~~ Obtain from MOHCD ~~the Mayor's Office of Housing and Community~~  
5 ~~Development, or its successor agency, department, or office,~~ a certificate confirming that the deed,  
6 instrument, or writing effects a transfer under Section 41B.6 of the Administrative Code of Rent-  
7 Restricted Affordable Housing.

8            ~~(B)~~ Submit the certificate described in subsection ~~(b)~~(c)(1)(A) of this  
9 Section 1108.6 to the County Recorder at the time such person submits the affidavit  
10 described in subsection (c) or (d) of Section 1111.

11            (2) Notwithstanding the requirements in subsection (c)(1), every person claiming the  
12 exemption under subsection (b) for a deed, instrument, or writing that effects a transfer of Rent-  
13 Restricted Affordable Housing, when that deed, instrument, or writing is delivered on or after January  
14 1, 2021, but prior to July 1, 2022, may do the following in lieu of the procedures described in  
15 subsection (c)(1):

16            (A) Obtain from MOHCD a certificate confirming that the deed, instrument, or  
17 writing effected a transfer of Rent-Restricted Affordable Housing.

18            (B) By December 31, 2022, submit the certificate described in subsection  
19 (c)(2)(A) of this Section 1108.6 to the County Recorder, along with a request for refund of the tax paid  
20 on the transfer subject to the certificate that exceeds the rates described in Section 1102(c). The  
21 County Recorder may authorize the Controller to refund these amounts, without interest, without the  
22 need for a refund claim.

23            This subsection (c)(2) shall not apply where the deed, instrument, or writing effects a  
24 transfer under Section 41B.6 of the Administrative Code, as that Section 41B.6 existed as of June 3,  
25 2019.

1 (3) Failure to timely satisfy the requirements in this subsection (c) renders the transfer  
2 ineligible for the exemption.

3 ~~(e)~~(d) **Operative Dates.**

4 (1) This Section 1108.6 shall apply to all deeds, instruments, or writings that  
5 effect a transfer of Rent-Restricted Affordable Housing other than deeds, instruments, or writings that  
6 effect a transfer under Section 41B.6 of the Administrative Code, as that Section 41B.6 existed as of  
7 June 3, 2019, that are or have been delivered on or after January 1, 2021~~the effective date of the~~  
8 ~~ordinance in Board File No. 181212,~~ but on or before the sunset date in subsection ~~(d)~~(e).

9 (2) This Section 1108.6 shall apply to all deeds, instruments, or writings that effect a  
10 transfer under Section 41B.6 of the Administrative Code, as that Section 41B.6 existed as of  
11 June 3, 2019, that are or have been delivered on or after June 3, 2019, but on or before the sunset date  
12 in subsection (e).

13 ~~(d)~~(e) **Sunset Date.** This Section 1108.6 shall expire by operation of law on  
14 June 30, 2024, and shall not apply to any deeds, instruments, or writings that are delivered on  
15 or after July 1, 2024.

16  
17 Section 4. Effective Date; Retroactivity.

18 (a) Effective Date. This ordinance shall become effective 30 days after enactment.  
19 Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance  
20 unsigned or does not sign the ordinance within ten days of receiving it, or the Board of  
21 Supervisors overrides the Mayor's veto of the ordinance.

22 (b) Retroactivity. Upon its effective date, and consistent with Section 1108.6(d)(1) of  
23 the Business and Tax Regulations Code as amended by this ordinance, the ordinance shall  
24 be retroactive to January 1, 2021, insofar as it pertains to all deeds, instruments, or writings  
25 that effect a transfer of Rent-Restricted Affordable Housing other than deeds, instruments, or

1 writings that effect a transfer under Section 41B.6 of the Administrative Code, as that  
2 Section 41B.6 existed as of June 3, 2019, that are or have been delivered on or after  
3 January 1, 2021.  
4

5 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
6 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
7 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
8 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
9 additions, and Board amendment deletions in accordance with the “Note” that appears under  
10 the official title of the ordinance.  
11

12 Section 6. Severability. If any section, subsection, sentence, clause, phrase, or word of  
13 this ordinance, or any application thereof to any person or circumstance, is held to be invalid  
14 or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not  
15 affect the validity of the remaining portions or applications of the ordinance. The Board of  
16 Supervisors hereby declares that it would have passed this ordinance and each and every  
17 section, subsection, sentence, clause, phrase, and word not declared invalid or  
18 unconstitutional without regard to whether any other portion of this ordinance or application  
19 thereof would be subsequently declared invalid or unconstitutional.  
20

21 Section 7. Undertaking for the General Welfare. In enacting and implementing this  
22 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not  
23 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it  
24 is liable in money damages to any person who claims that such breach proximately caused  
25 injury.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

By:           /s/ Carole F. Ruwart            
CAROLE F. RUWART  
Deputy City Attorney

n:\legana\as2021\2100354\01553201.docx

**LEGISLATIVE DIGEST**

[Business and Tax Regulations Code - Affordable Housing Transfer Tax Exemption]

**Ordinance amending the Business and Tax Regulations Code to exempt certain transfers of rent-restricted affordable housing occurring on or after January 1, 2021, from the increased transfer tax rates when the consideration or value of the interest or property conveyed equals or exceeds \$5,000,000; and affirming the Planning Department’s determination under the California Environmental Quality Act.**

Existing Law

Since 2008, the transfer tax on the transfer of properties with a consideration or value of \$5 million or more has increased from 0.75% of consideration or value to between 2.25% and 6% of consideration or value depending on the consideration or value (Prop. N of November 2008, Prop. N of November 2010, Prop. W of November 2016, and Prop. I of November 2020). Existing law provides that the Board of Supervisors (the “Board”) can exempt transfers of rent-restricted affordable housing, as defined by the Board, from these transfer tax increases. In 2019, the Board exempted transfers of property under the Community Right to Purchase Act (“COPA”) from these increases.

Amendments to Current Law

This ordinance would extend the partial exemption to transfers of residential rental properties that are legally restricted to be exclusively affordable in a manner that meets the specific requirements of the ordinance, including limits on tenant income and rents paid for each unit. The Mayor’s Office of Housing and Community Development would certify that the restrictions on the property meet these requirements. This exemption would be retroactive to January 1, 2021. This ordinance would not change the exemption for COPA properties. Both exemptions would expire on June 30, 2024.

Under this legislation, transfers of properties that meet the requirements described above would pay transfer tax at a rate of \$3.75 per \$500 of consideration or value (0.75%), and not these higher rates:

Property Consideration or Value	Rate/\$500
\$5 million to less than \$10 million	\$11.25 or 2.25%
\$10 million to less than \$25 million	\$27.50 or 5.50%
\$25 million or more	\$30 or 6.00%

n:\legana\as2021\2100354\01552566.docx

<p><b>Item 1</b> <b>File 21-0937</b></p>	<p><b>Department:</b> Mayor’s Office of Housing &amp; Community Development</p>
<p><b>EXECUTIVE SUMMARY</b></p>	
<p style="text-align: center;"><b>Legislative Objectives</b></p> <ul style="list-style-type: none"> <li>• The proposed ordinance would amend Article 12C of the City’s Business Tax and Regulation Code to temporarily reduce the transfer tax on properties used for rent restricted affordable housing. The reduction in transfer taxes would apply to property transactions between January 2021 to July 2024.</li> </ul> <p style="text-align: center;"><b>Key Points</b></p> <ul style="list-style-type: none"> <li>• Following the passage of Proposition I, the City’s transfer tax for property transactions valued at more than \$5 million increased in January 2021. The Business Tax and Regulations Code allows the Board of Supervisors to exempt rent restricted affordable housing from transfer taxes on property values of \$5 million or more.</li> <li>• The proposed ordinance generally defines rent restricted affordable housing as housing that is restricted to households making up to 120% of area median income and that has rent capped at 30% of tenant income. The affordability restrictions must be recorded for at least 55 years. Under the proposed ordinance, the Mayor’s Office of Housing and Community Development (MOHCD) would certify that properties meet these requirements.</li> </ul> <p style="text-align: center;"><b>Fiscal Impact</b></p> <ul style="list-style-type: none"> <li>• According to data provided by MOHCD, ten projects had or will have acquisition costs greater than \$5 million between January 2021 and July 2024. The total reduction in transfer taxes for these projects under the proposed tax change is \$8.1 million.</li> <li>• For projects that have already paid the higher transfer tax amount, a portion of transfer taxes will be refunded to the Owner. In the case of affordable housing projects that were funded by MOHCD, the portion of refunded transfer taxes may be repaid to the City. For MOHCD projects that have yet to close their acquisition or pay any transfer tax, the project owners and MOHCD will benefit from reduced transfer tax amounts.</li> </ul> <p style="text-align: center;"><b>Recommendation</b></p> <ul style="list-style-type: none"> <li>• Because the proposed ordinance would reduce General Fund revenues, we consider approval to be a policy matter for the Board of Supervisors.</li> </ul>	

**MANDATE STATEMENT**

City Charter Section 2.105 states that all legislative acts shall be by ordinance, approved by a majority of the members of the Board of Supervisors.

**BACKGROUND****Transfer Tax**

Article 12C of the City's Business Tax and Regulations Code imposes a real property transfer tax on property acquisitions or leases of 35 years or more. The tax rate increases by the value of the property. Certain property transfers are exempt from this tax, including transfers of property between married couples, domestic partners, or parents and children, gifts and inheritances, or between individuals and their limited liability companies, limited partnerships, or trusts. The Board of Supervisors is authorized to exempt rent restricted affordable housing from transfer taxes on property values of \$5 million or more.<sup>1</sup> According to the Controller's FY 2021-22 – FY 2022-23 Revenue Letter, real property transfer tax revenues are budgeted at \$350.1 million in FY 2021-22 and \$373.9 million in FY 2022-23.

Administrative Code Section 10.60(c) requires the maintenance of Budget Stabilization Reserve, which is funded, in part, by depositing 75% of real property transfer tax collections in excess of a rolling five-year average collection, adjusted for rate increases during that period. According to the Controller's FY 2021-22 – FY 2022-23 Revenue Letter, no deposits are expected in FY 2021-22 and FY 2022-23 as transfer taxes are expected to be below the prior five-year average.

**DETAILS OF PROPOSED LEGISLATION**

The proposed ordinance would amend Article 12C of the City's Business Tax and Regulation Code to temporarily reduce the transfer tax on properties used for rent restricted affordable housing. The reduction in transfer taxes would apply to property transactions between January 2021 to July 2024. Exhibit 1 below shows the proposed change to the transfer taxes for the eligible property transactions.

---

<sup>1</sup> In November 2020, voters approved Proposition I, which increased the transfer tax on property transactions above \$5 million. The tax became effective January 1, 2021.

**Exhibit 1: Proposed Change in Transfer Tax for Rent Restricted Affordable Housing**

<b>Property Consideration or Value</b>	<b>Current Rate (per \$500)</b>	<b>Proposed Rate (per \$500)</b>	<b>Change (per \$500)</b>
\$100 - <\$250,000	\$2.50	\$2.50	No change
\$250,000 - <\$1,000,000	\$3.40	\$3.40	No change
\$1,000,000 - <\$5,000,000	\$3.75	\$3.75	No change
\$5,000,000 - <\$10,000,000	\$11.25	\$3.75	(\$7.50)
\$10,000,000 - <\$25,000,000	\$27.50	\$3.75	(\$23.75)
\$25,000,000 or more	\$30.00	\$3.75	(\$26.25)

Source: Proposed Ordinance

**Rent Restricted Affordable Housing**

Rent restricted affordable housing is defined in the proposed ordinance as housing that is restricted to households making up to 120% of area median income with all units in the building having an average maximum income of up to 80% area median income and that limits rent to amounts determined by the San Francisco Housing Authority for Section 8 voucher households or to no more than 30% of the household income. The ordinance requires rent-restricted properties to have affordability restrictions recorded for at least 55 years, and for a government agency to monitor such restrictions. To qualify for the reduced transfer taxes, properties must either be vacant, used for commercial purposes prior to claiming eligibility, or have qualified for an exemption under Section 214 of the California Revenue and Taxation Code, which reduces property taxes for properties used exclusively as rental housing to low-income households.

Properties acquired under Chapter 41B of the City’s Administrative Code (the Community Opportunity to Purchase Act), which provides non-profits with the right of first offer and refusal to purchase residential buildings with three or more units, are already subject to the transfer tax rates of the proposed ordinance.

Under the proposed ordinance, the Mayor’s Office of Housing and Community Development (MOHCD) would certify that properties meet the above requirements.

**FISCAL IMPACT**

To project the fiscal impact of the proposed ordinance, we reviewed MOCHD’s pipeline of affordable housing projects and the associated estimated acquisition costs. As shown in Exhibit 2 below, according to MOHCD, ten projects would qualify for the proposed reductions in transfer taxes, resulting in a \$8.1 million reduction over the 3.5-year period during which the reduced taxes rates would be in effect.

**Exhibit 2: Estimated Transfer Tax Reductions**

<b>Project Name</b>	<b>Address</b>	<b>Acquisition Price (est.)</b>	<b>Change in Transfer Tax</b>
Knox Hotel	241 6th Street	\$11,550,000	(\$548,625)
Yosemite Apartments	480 Eddy Street	\$6,000,000	(\$90,000)
4200 Geary	4200 Geary	\$11,000,000	(\$522,500)
2550 Irving	2550 Irving	\$9,000,000	(\$135,000)
Ambassador Ritz	55 Mason St, 216 Eddy St	\$41,108,750	(\$2,158,209)
Hayes Valley South	401 Rose Street	\$29,526,921	(\$1,550,163)
936 Geary	936 Geary	\$6,150,000	(\$92,250)
Throughline Apartments	777 Broadway, 1204 Mason, 1525-1529 Washington	\$20,819,568	(\$988,929)
Fillmore Marketplace	1223 Webster	\$20,000,000	(\$950,000)
SFHA Scattered Sites	4101 Noriega St, 200 Randolph St, 2206-2268 Great Highway, 363 Noe St, 343 Jules Ave	\$23,000,000	(\$1,092,500)
<b>Total</b>		<b>\$178,155,239</b>	<b>(\$8,128,177)</b>

Source: BLA Analysis of MOHCD Pipeline

For projects that have already paid the higher transfer tax amount, a portion of transfer taxes will be refunded to the Owner. In the case of projects that were funded by MOHCD and paid the higher transfer tax amount, the portion of refunded transfer taxes may be repaid to the City, as the City's Promissory Notes require that excess proceeds (that is, development funding remaining after payment of actual project costs) originally funded by the City be returned to MOHCD. For MOHCD projects that have yet to close their acquisition or pay any transfer tax, the projects and MOHCD will benefit from reduced transfer tax amounts. Other property transactions not included in the MOHCD pipeline may also qualify for the proposed reduction in transfer taxes, which would result in a General Fund revenue loss.

Because the proposed ordinance would reduce General Fund revenues, we consider approval to be a policy matter for the Board of Supervisors.

### RECOMMENDATION

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

BOARD of SUPERVISORS



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

September 27, 2021

**File No. 210937**

Lisa Gibson  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On September 7, 2021, Supervisor Dean Preston introduced the following legislation:

**File No. 210937**

**Ordinance amending the Business and Tax Regulations Code to exempt certain transfers of rent-restricted affordable housing occurring on or after January 1, 2021, from the increased transfer tax rates when the consideration or value of the interest or property conveyed equals or exceeds \$5,000,000; and affirming the Planning Department's determination under the California Environmental Quality Act.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

*Linda Wong*

By: Linda Wong, Assistant Clerk  
Budget and Finance Committee

Attachment

c: Devyani Jain, Environmental Planning  
Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning  
Laura Lynch, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

9/30/2021

*Joy Navarrete*

BOARD of SUPERVISORS



City Hall  
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  
Joaquin Torres, Assessor-Recorder, Office of the Assessor-Recorder  
Jose Cisneros, Treasurer, Office of the Treasurer and Tax Collector

FROM: Linda Wong, Assistant Clerk  
Budget and Finance Committee

DATE: September 27, 2021

SUBJECT: LEGISLATION INTRODUCED

---

The Board of Supervisors' Budget and Finance Committee has received the following proposed legislation, introduced by Supervisor Dean Preston:

**File No. 210937**

**O Ordinance amending the Business and Tax Regulations Code to exempt certain transfers of rent-restricted affordable housing occurring on or after January 1, 2021, from the increased transfer tax rates when the consideration or value of the interest or property conveyed equals or exceeds \$5,000,000; and affirming the Planning Department's determination under the California Environmental Quality Act.**

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: [linda.wong@sfgov.org](mailto:linda.wong@sfgov.org).

c: Lydia Ely, Mayor's Office of Housing and Community Development  
Brian Cheu, Mayor's Office of Housing and Community Development  
Maria Benjamin, Mayor's Office of Housing and Community Development  
Douglas Legg, Office of the Assessor-Recorder  
Holly Lung, Office of the Assessor-Recorder  
Amanda Kahn Fried, Office of the Treasurer and Tax Collector



# 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):

Subject:

The text is listed:

Signature of Sponsoring Supervisor: