Ordinance amending Administrative Code Chapter 41 "Residential Hotel Unit Conversion and Demolition" by amending Sections 41.9 and 41.11 to require that hotels provide each adult occupant with a receipt showing each amount and time period paid, and also showing any associated charges, and providing for enforcement; and, updating terminology in Sections 41.9 through 41.16 and 41.19 through 41.21 to reflect prior Charter changes establishing a Director and Department of Building Inspection in place of the former Superintendent and Bureau of Building Inspection.

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

Section 1. Chapter 41 of the San Francisco Administrative Code is hereby amended by substantively amending Sections 41.9 and 41.11, and by updating terminology in Sections 41.6 through 41.16 and 41.19 through 41.21, to read as follows:

SEC. 41.6. INITIAL STATUS DETERMINATION.

(a) Filing of Initial Status Determination; Time Limit. Within 30 calendar days of the mailing date of the summary of the ordinance and the prescribed reporting forms, the owner or operator of each hotel shall file either a statement of exemption, a claim of exemption based on low-income housing, a claim of exemption based on partially completed conversion, or an initial unit usage report as specified below. All filing shall be accompanied by supporting
evidence. However, upon application by an owner or operator and upon showing a good cause therefor, the Superintendent Director of the Bureau Department of Building Inspection may grant an extension of time not to exceed 30 days for filing. Owner or operator shall post a notice on the day of filing that a copy of the initial status determination document filed with the Superintendent Director of the Bureau Department of Building Inspection is available for inspection between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday.

(b) Filing of Initial Unit Usage Report. All hotels not covered by the exemptions in Sections 41.5, 41.7 or 41.8 must file an initial unit usage report containing the following:

1. The number of residential and tourist units in the hotel as of September 23, 1979;
2. The designation by room number and location of the residential units and tourist units as of seven calendar days prior to the date of filing the report;
3. The total number of residential and tourist rooms in the hotel as of seven calendar days prior to date of filing the report.

(c) Insufficient Filing. If the Superintendent Director of the Bureau Department of Building Inspection or his designee determines that additional information is needed to make a determination, the Superintendent Director shall request the additional information in writing. The owner or operator shall furnish the requested information within 15 calendar days upon receipt of the written request. Owner or operator shall immediately post a notice that a copy of the requested information is available for inspection between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday at the Bureau Department of Building Inspection. If the requested information is not furnished, all the guest rooms not supported by evidence shall be deemed to be residential units.

(d) Certification of Units. The Superintendent Director of the Bureau Department of Building Inspection shall review the information and accompanying supporting data. A certified
copy of hotel tax returns for the calendar year 1979 may be used to establish the number of
tourist units and the Superintendent Director of the Bureau Department of Building Inspection or
the Superintendent's Director's designee may personally inspect units to establish the number of
tourist units. If, in the opinion of the Superintendent Director of the Bureau Department of Building
Inspection, the initial unit usage report is supported by adequate supporting evidence, the
Superintendent Director shall certify the number of residential and tourist units within 90
calendar days of its submission. The owner or operator shall have the burden of proving the
number of tourist units claimed by a preponderance of evidence.

Notwithstanding any other provisions in this Chapter, if an owner or operator took
possession of the hotel operation after September 23, 1979 and before June 15, 1981, and if
the owner or operator can demonstrate that good cause exists why he/she cannot obtain
supporting evidence from the previous owner or operator to file the initial report, the owner or
operator shall base his/her filing on information available to him/her two weeks after he/she
took possession of the hotel; any units which are vacant on that date shall be allocated
equally between tourist and residential uses; provided that a permanent resident may rebut
this presumption by clear and convincing evidence.

After the Superintendent Director of the Bureau Department of Building Inspection certifies
the number of residential and tourist units, the Superintendent Director shall issue a certificate
of use. The Certificate of Use shall be posted permanently in the lobby or entranceway of the
hotel.

(e) Failure to File Statement of Exemption, Claim of Exemption or Initial Unit Usage
Report. If no initial unit usage report, or statement of exemption, or a claim of exemption
based on partially completed conversion, or a claim of exemption based on low-income
housing for all of the guest rooms, is filed for a hotel within the time set forth in Section
41.6(a), the Superintendent Director of Bureau Department of Building Inspection shall mail a
notice to the owner or operator of record by registered or certified mail stating that all the
rooms in the hotel shall be deemed residential units unless the owner or operator files unit
usage report within 10 calendar days of the mailing date of said notice and that a late filing fee
of $50 will be assessed in addition to the fee set forth in Section 41.11 of this Chapter. If the
owner or operator fails to submit a unit usage report within 10 calendar days after notification
by the Bureau Department of Building Inspection, a certificate of use for residential units only
shall be issued.

(f) Appeal of Initial Determination. An owner or operator may appeal the initial unit
status determination by the Superintendent Director of the Bureau Department of Building
Inspection provided that there was no challenge pursuant to the provisions of subsection (g)
below, and further provided that an appeal is filed within 10 calendar days of the mailing of the
certification. If an appeal is filed, a copy of the notice of appeal shall be posted by the owner
or operator and a hearing pursuant to the provisions of Section 41.8(b) shall be scheduled.

(g) Challenge; Standing; Statute of Limitation. Challenges to the information
contained in the initial status determination report filed by the owner or operator may be filed
by an interested party in writing provided that it is submitted within 15 calendar days from the
date the report to the Bureau Department of Building Inspection is filed. Upon receipt of a
challenge, a hearing shall be held by the Superintendent Director of the Bureau Department of
Building Inspection or his designee pursuant to the provisions of Section 41.11(b). The owner
or operator shall have the burden of proving by a preponderance of evidence that the
information filed is correct.

(h) Reporting Forms for Initial Unit Usage Report. Compliance by any party or by
the City of San Francisco with notice, filing, challenge, designation of unit and certification
requirements of Ordinance 330-81 regarding the initial status of units shall satisfy similar
requirements set forth in this Chapter and all such notices, filings, challenges, designations or certificates shall have the same force and effect as if made pursuant to this subsection.

SEC. 41.7. STATEMENTS OF EXEMPTION; APPLICABILITY OF THIS CHAPTER.

(a) Statement of Exemption Based on Inapplicability of This Chapter. Any hotel claiming that this Chapter does not apply, under the provisions of Sections 41.5(a) through 41.5(d), shall file a statement of exemption specifying the basis for the exemption. Any hotel claiming exemption under the provisions of Sections 41.5(b) through 41.5(d) shall also state the total number of guest rooms and the number of residential hotel units with monthly rent over $1,000 per month.

(b) Claim of Exemption Based on Low-Income Housing. To qualify for a claim of exemption based on low-income housing, the units to be rehabilitated meet the following requirements:

1. A claim for this exemption has been filed and the requisite fees paid to the Bureau Department of Building Inspection no later than 60 calendar days after the effective date of this ordinance;

2. With the exception of ground floor commercial space, the entire building must be completely occupied as low-income housing;

3. The Superintendent Director of the Bureau Department of Building Inspection finds that the proposed elimination of a unit is necessary to comply with Building Code and Housing Code requirements; and

4. Alternate guest rooms are made available within the building to the displaced permanent residents; or

5. In those circumstances where it is necessary to relocate a permanent resident off site, the permanent resident shall receive the actual moving expenses and the difference
between the rent at the time of relocation and the rent of the temporary housing during the
period of rehabilitation.

(6) The owner or operator and successors in interest shall continue to maintain all
units in the rehabilitated hotel as low-income housing for 25 years. A deed restriction on such
use shall be submitted to the City Attorney's Office for approval. An approved copy of the
deed restriction shall be forwarded to the Superintendent Director of the Bureau Department of
Building Inspection and the original shall be filed with the Recorder by the owner or operator.

(c) Claim of Exemption Based on Partially Completed Conversion. A claim of
exemption based on partially completed conversion shall not be approved until and unless
owner or operator shows that all of the following requirements are met:

(1) An application for partially completed conversion was filed no later than 60
calendar days after the effective date of this ordinance;

(2) The owner or operator has commenced work on extensive Capital
Improvements and Rehabilitation Work prior to November 23, 1979, as defined in Section
37.2 of the San Francisco Administrative Code (the San Francisco Rent Stabilization and
Arbitration Ordinance) and has completed such work on at least 35 percent of the units
intended to be converted or has expended 40 percent of the total sum budgeted for said work;

(3) The owner or operator or previous owner or operator shall have clearly
demonstrated his/her intention to convert all of the residential units in the subject building to
tourist units as of November 23, 1979. Satisfactory evidence of intention to convert may be
demonstrated by the following factors, including but not limited to:

(A) Whether an architect has been engaged to prepare plans and specifications; or

(B) Whether applications for construction work have been received; or

(C) Whether applications for the necessary permits have been submitted to all
relevant city departments; or
(D) Whether a building permit has been issued.

(4) Each permanent resident displaced by the conversion is offered relocation assistance as set forth in Section 41.17(b) below; and

(5) For each vacant residential unit converted, but not occupied by a permanent resident, a sum of $250 per unit not to exceed a total of $10,000 shall be deposited in the San Francisco Residential Hotel Preservation Account of the Repair and Demolition Fund established pursuant to Section 203.1 of the San Francisco Building Code (being Chapter 1, Article 2, Part II of the San Francisco Municipal Code) to be used exclusively for the repair, purchase and rehabilitation of residential hotel units by agencies of the City and County of San Francisco and to be administered by the Department of Public Works.

(d) Consistent with Planning Code Section 183, any unit deemed to be a tourist unit which has remained continuously vacant for three years following the zoning change in a zoning district not allowing tourist hotels shall lose its nonconforming status, and may be opened only for residential hotel or group housing uses.

SEC. 41.8. REQUIREMENTS FOR NONPROFIT ORGANIZATIONS.

(a) Initial Unit Usage Report. Within 90 days of the adoption of this amended Chapter, the Bureau Department of Building Inspection shall notify all nonprofit organizations operating hotels that the nonprofit organization must comply with the Initial Status Determination provisions of Section 41.6 herein.

(b) Annual Unit Usage Report. All nonprofit organizations operating hotels with residential units shall comply with the provisions of Section 41.10 herein in the event that the status of the units in the hotel changes from the designation contained in the Initial Unit Usage Report.
(c) One-for-one Replacement. If a nonprofit organization seeks to demolish
residential units or remove residential units from housing use, or sells or otherwise transfers
the building containing residential use, it shall comply with the provisions of Section 41.13 of
this Chapter.

(d) Applicability of this Chapter. This chapter shall not apply to a hotel which has a
certificate of use for all residential units but contained no permanent residents on September
23, 1979, provided that the hotel is owned, leased or operated by a nonprofit organization at
the time this exemption is sought. The owner, operator or lessee of such a hotel must file with
the Superintendent Director of the Department of Building Inspection evidence to support such
exemption. If the exemption is approved, the Superintendent Director shall issue a certificate of
use designating all the hotel's units as tourist units; provided, however, that the certificate
shall not be issued until the hotel owner, operator or lessee has paid any penalties imposed
under Section 41.6(e) or Section 41.10(f) or (g), or released any liens imposed under Section
41.20(d).

SEC. 41.9. RECORDS OF USE.

(a) Daily Log. Following the effective date of this Chapter each residential hotel shall
maintain a daily log containing the status of each room, whether it is occupied or vacant,
whether it is used as a residential unit or tourist unit, and the name under which the each adult
occupant is registered. Each hotel shall also provide receipts to each adult occupant, and
maintain copies of rent the receipts, showing; the room number; the name of each adult occupant;
the rental amount and period paid for; and any associated charges imposed and paid, including but
not limited to security deposits. The daily log shall be available for inspection pursuant to the
provision of Section 41.11(c) of this Chapter upon demand by the Superintendent Director of
the Bureau Department of Building Inspection or the Superintendent Director's designee
between the hours of 9 a.m. and 5 p.m., Monday through Friday unless the Superintendent Director of the Bureau Department of Building Inspection and the City Attorney reasonably believe that further enforcement efforts are necessary for specified residential hotels, in which case the Bureau Department of Building Inspection shall notify the hotel owner or operator that the daily logs shall be available for inspection between the hours of 9 a.m. and 7 p.m.

(b) Weekly Report. Following the initial determination, an owner or operator of residential units shall post on each Monday before 12 noon the following information:

(1) The number of tourist units to which the owner or operator is currently entitled and the date the certificate of use was last issued;

(2) The number of guest rooms which were used as tourist units each day of the preceding week. Evidence of compliance with requirements imposed hereunder shall be preserved by the owner or operator for a period of not less than two years after each posting is required to be made. The owner or operator shall permit the Superintendent Director of the Bureau Department of Building Inspection or his designee to inspect the hotel records and other supporting evidence to determine the accuracy of the information posted.

**SEC. 41.10. ANNUAL UNIT USAGE REPORT.**

(a) Filing. On November 1st of each year every hotel owner or operator subject to this Chapter shall file with the Bureau Department of Building Inspection an Annual Unit Usage Report containing the following information:

(1) The total number of units in the hotel as of October 15th of the year of filing;

(2) The number of residential and tourist units as of October 15th of the year of filing;

(3) The number of vacant residential units as of October 15th of the year of filing; if more than 50 percent of the units are vacant, explain why;
(4) The average rent for the residential hotel units as of October 15th of the year of filing;

(5) The number of residential units rented by week or month as of October 15th of the year of filing; and

(6) The designation by room number and location of the residential units and tourist units as of October 15th of the year of filing. Owner or operator shall maintain such designated units as tourist or residential units for the following year unless owner or operator notifies in writing the Bureau Department of Building Inspection of a redesignation of units; owner or operator may redesignate units throughout the year provided they notify the Bureau Department of Building Inspection in writing by the next business day following such redesignation and maintain the proper number of residential and tourist units at all times. The purpose of this provision is to simplify enforcement efforts while providing owner or operator with reasonable and sufficient flexibility in designation and renting of rooms;

(7) The nature of services provided to the permanent residents and whether there has been an increase or decrease in the services so provided;

(8) A copy of the Daily Log, showing the number of units which are residential, tourist or vacant on October 1st, February 1st, May 1st and August 1st of the year of filing.

(b) Notice of Annual Unit Usage Report. On the day of filing, the owner or operator shall post a notice that a copy of the Annual Unit Usage Report submitted to the Bureau Department of Building Inspection is available for inspection between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, which notice shall remain posted for 30 days.

(c) Extension of Time for Filing. Upon application by an owner or operator and upon showing good cause therefor, the Superintendent Director of the Bureau Department of Building Inspection may grant one extension of time not to exceed 30 days for said filing.
(d) Certificate of Annual Unit Usage Report. After receipt of a completed Annual Unit Usage Report, the Bureau Department of Building Inspection shall issue a certified acknowledgment of receipt.

(e) Renewal of Hotel License and Issuance of New Certificate of Use. As of the effective date of this Chapter, no hotel license may be issued to any owner or operator of a hotel unless the owner or operator presents with his/her license application a certified acknowledgment of receipt from the Bureau Department of Building Inspection of the Annual Unit Usage Report for the upcoming year.

(f) Insufficient Filing; Penalties. The Superintendent Director of the Bureau Department of Building Inspection is authorized to assess a penalty as set forth below for insufficient filing, with interest on the penalty accruing at the rate of one and one-half percent per full month, compounded monthly from the date the penalty is due as stated in the Superintendent's Director's written notification below.

If the Superintendent Director or the Superintendent's Director's designee determines that additional information is needed to make a determination, he shall send both the owner and operator a written request to furnish such information within 15 calendar days of the mailing of the written request. The letter shall state that if the requested information is not furnished in the time required, the residential and tourist units shall be presumed to be unchanged from the previous year and that the Superintendent Director shall impose a $500 penalty for failure to furnish the additional information within the 15-day period. If the Superintendent Director does not timely receive the information, the Superintendent Director shall notify both the owner and operator, by mail, that the Superintendent Director is imposing a $500 penalty which must be paid within 30 days of the mailing of the notification, and that interest on the penalty shall accrue from the expiration of the 30 days at the rate of one and one-half percent per full month, compounded monthly. The written notification shall state that if the penalty is not paid,
a lien to secure the amount of the penalty, plus the accrued interest, will be recorded against
the real property pursuant to the provisions of Section 41.20(d) of this Chapter.

(g) Failure to File Annual Unit Usage Report; Penalties. The\nSuperintendent Director\nof the Bureau Department of Building Inspection is authorized to assess penalties as set forth\nbelow for failure to file an Annual Unit Usage Report, with interest on penalties accruing at the\nrate of one and one-half percent per full month, compounded monthly from the date the\npenalty is due as stated in the Superintendent's Director's notification below.

If the owner or operator fails to file an Annual Unit Usage Report, the Superintendent\nDirector or the Superintendent's Director's designee shall notify the owner and operator by\registered or certified mail and shall post a notice informing the owner and operator that\unless submission of the Annual Unit Usage Report and application for renewal of the hotel\license is made within 15 calendar days of the mailing of the letter, the residential and tourist\units shall be presumed to be unchanged from the previous year, and the Superintendent\Director shall impose a penalty of $300 per month of each month the annual report is not filed.\If the Superintendent Director does not receive the report the Superintendent Director shall notify\both the owner and operator, by mail that the Superintendent Director is imposing the\appropriate penalty, as prorated, which must be paid within 30 days of the mailing of the\notification and that interest on the penalty shall accrue from the expiration of the 30 days at\the rate of one and one-half percent per full month, compounded monthly. The written\notification shall state that if the penalty is not paid, a lien to secure the amount of the penalty,\plus the accrued interest, will be recorded against the real property pursuant to the provisions\of Section 41.20(d) of this Chapter.

(h) Appeal of Annual Usage Determination. An owner or operator may appeal the\annual unit usage determination by the Superintendent Director of the Bureau Department of\Building Inspection provided that there was no challenge pursuant to the provisions of
subsection (i) below, and further provided that an appeal is filed within 20 calendar days from
the date of annual unit usage determination. If an appeal is filed, a copy of the notice of
appeal shall be posted by the owner or operator and a hearing pursuant to the provisions of
Section 41.11(b) shall be scheduled.

(i) Challenge; Standing; Statute of Limitation. Any interested party may file a
challenge to the information contained in the annual unit usage report filed by the owner or
operator provided that such a challenge is in writing and is submitted within 30 calendar days
from the date the report to the Bureau Department of Building Inspection is filed. Upon receipt
of a challenge, a hearing pursuant to the provisions of Section 41.11(b) shall be scheduled.
The owner or operator shall have the burden of proving by a preponderance of evidence that
the information filed is correct.

SEC. 41.11. ADMINISTRATION.

(a) Fees. The owner or operator shall pay the following filing fees to the Bureau
Department of Building Inspection to cover its costs of investigating and reporting on eligibility.
See Section 333.2, Hotel Conversion Fee Schedule, Part II, Chapter 1 of the San Francisco
Municipal Code (Building Code) for the applicable fees. The party that brings an unsuccessful
challenge to a report pursuant to this Article shall be liable for the change in Section 333.2,
Hotel Conversion Fee Schedule. Unsuccessful Challenge, Part II, Chapter 1 of the San
Francisco Municipal Code (Building Code). Fees shall be waived for an individual who files an
affidavit under penalty of perjury stating that he or she is an indigent person who cannot pay
the filing fee without using money needed for the necessities of life.

SEE SAN FRANCISCO MUNICIPAL CODE (BUILDING CODE) SECTION 333.2
HOTEL CONVERSION FEE SCHEDULE
(b) Hearing.

(1) Notice of Hearing. Whenever a hearing is required or requested in this Chapter, the Superintendent Director of the Bureau Department of Building Inspection shall, within 45 calendar days, notify the owner or operator of the date, time, place and nature of the hearing by registered or certified mail. The Superintendent Director of the Bureau Department of Building Inspection shall appoint a hearing officer. Notice of such a hearing shall be posted by the Bureau Department of Building Inspection. The owner or operator shall state under oath at the hearing that the notice remained posted for at least 10 calendar days prior to the hearing. Said notice shall state that all permanent residents residing in the hotel may appear and testify at the public hearing, provided that the Bureau Department of Building Inspection is notified of such an intent 72 hours prior to the hearing date.

(2) Pre-hearing Submission. No less than three working days prior to any hearing, parties to the hearing shall submit written information to the Bureau Department of Building Inspection including, but not limited to, the following: the request or complaint, the statement of issues to be determined by the Hearing Officer; and a statement of the evidence upon which the request or complaint is based.

(3) Hearing Procedure. If more than one hearing for the same hotel is required, the Superintendent Director of the Bureau Department of Building Inspection shall consolidate all of the appeals and challenges into one hearing; however, if a civil action has been filed pursuant to the provisions of Section 41.20(e) of the Chapter, all hearings on administrative complaints of unlawful conversions involving the same hotel shall be abated until such time as final judgment has been entered in the civil action; an interested party may file a complaint in intervention. The hearing shall be tape recorded. Any party to the appeal may, at his/her own expense, cause the hearing to be recorded by a certified court reporter. The hearing officer is
empowered to issue subpoenas upon application of the parties seven calendar days prior to
the date of the hearing. During the hearing, evidence and testimony may be presented to the
hearing officer. Parties to the hearing may be represented by counsel and have the right to
cross-examine witnesses. All testimony shall be given under oath. Written decision and
findings shall be rendered by the hearing officer within twenty working days of the hearing.
Copies of the findings and decision shall be served upon the parties to the hearing by
registered or certified mail. A notice that a copy of the findings and decisions is available for
inspection between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday shall be
posted by the owner or operator.

(4) Administrative Review. Unless otherwise expressly provided in this Chapter, any
decision of the hearing officer shall be final unless a valid written appeal is filed with the Board
of Permit Appeals within 15 days following the date of the hearing officer's written
determination. Such an appeal may be taken by any interested party as defined by Section
41.4 (g) herein.

(c) Inspection. The Superintendent Director of the Bureau Department of Building
Inspection shall conduct, from time to time, on-site inspections of the daily logs, other
supporting documents and units listed as vacant in the daily logs to determine if owner or
operator has complied with the provisions of this Chapter. In addition, the Superintendent
Director of the Bureau Department of Building Inspection or the Superintendent's Director's
designee shall conduct such an inspection as soon as practicable upon the request of a
permanent resident current or former occupant of the hotel. If upon such an inspection, the
Superintendent Director or the Superintendent's Director's designee determines that an apparent
violation of the provisions of this Chapter has occurred, he/she shall post a notice of apparent
violation informing the permanent residents of the hotel thereof or shall take action as set forth
in Section 41.11(d) and (e) below. This notice shall remain posted until the Superintendent
Director of the Bureau Department of Building Inspection, or the Superintendent’s Director’s
designee, determines that the hotel is no longer in violation of the provisions of this Chapter.

(d) Criminal Penalties for Violations. Any person or entity wilfully failing to maintain
daily logs or provide and maintain receipts as provided in Sections 41.9(a) and (b) of this
Chapter, or failing to post materials as provided in Sections 41.6(a), (c) and (f), 41.9(b),
41.10(b), (g) and (h), 41.11(b) (3), 41.12(b)(10) and 41.18(b) and (c) of this Chapter or wilfully
providing false information in the daily logs shall be guilty of an infraction for the first such
violation or a misdemeanor for any subsequent violation, and the complaint charging such
violation shall specify whether the violation charged is a misdemeanor or an infraction.

If charged as an infraction, the penalty upon conviction therefor shall be not less than
$100 or more than $500.

If charged as a misdemeanor, the penalty upon conviction therefor shall be a fine of not
less than $500 or more than $1,000 or imprisonment in the county jail, not exceeding six
months, or both fine and imprisonment.

Every day such violation shall continue shall be considered as a new offense.

For purposes of Sections 41.11(d) and (e), violation shall include, but not limited to,
intentional disobedience, omission, failure or refusal to comply with any requirement imposed
by the aforementioned Sections or with any notice or order of the Superintendent Director of the
Department of Building Inspection or the Director of Public Works regarding a violation of this
Chapter.

(e) False Information Misdemeanor. It shall be unlawful for an owner or operator to
wilfully provide false information to the Superintendent Director of the Bureau Department of
Building Inspection or the Superintendent’s Director’s designees. Any owner or operator who
files false information shall be guilty of a misdemeanor. Conviction of a misdemeanor
hereunder shall be punishable by a fine of not more than $500 or by imprisonment in the County Jail for a period not to exceed six months, or by both.

(f) The Superintendent Director of the Bureau Department of Building Inspection may impose a penalty of $250 per violation for failure to maintain daily logs or for failure to provide receipts to occupants as required under Section 41.9 above and for failure to post materials as required under Sections 41.6(a), (c) and (f), 41.9(b), 41.10(b), (g) and (h), 41.11(b) (3), 41.12(b)(10), and 41.18(b) and (c). In order to impose such penalties, the Superintendent Director shall notify both the owner and operator by certified mail that the Superintendent Director is imposing the penalty or penalties, which must be paid within 30 days of the mailing of the notification. The written notification shall state that if the penalty is not paid, a lien to secure the amount of the penalty will be recorded against the real property pursuant to the provisions of Section 41.20(d) of this Chapter.

(g) Costs of Enforcement. The proceeds from the filing fees and civil fines assessed shall be used exclusively to cover the costs of investigation and enforcement of this ordinance by the City and County of San Francisco. The Superintendent Director of the Bureau Department of Building Inspection shall annually report these costs to the Board of Supervisors and recommend adjustments thereof.

(h) Inspection of Records. The Bureau Department of Building Inspection shall maintain a file for each residential hotel which shall contain copies of all applications, exemptions, permits, reports and decisions filed pursuant to the provisions of this Chapter. All documents maintained in said files, except for all tax returns and documents specifically exempted from the California Public Record Act, shall be made available for public inspection and copying.

(i) Promulgation of Rules and Regulations. The Superintendent Director of the Bureau Department of Building Inspection shall propose rules and regulations governing the
appointment of an administrative officer and the administration and enforcement of this
Chapter. After reasonable notice and opportunity to submit written comment are given, final
rules and regulations shall be promulgated.

SEC. 41.12. PERMIT TO CONVERT.
(a) Any owner or operator, or his/her authorized agent, of a residential hotel may
apply for a permit to convert one or more residential units by submitting an application and the
required fee to the Central Permit Bureau.
(b) The permit application shall contain the following information:
(1) The name and address of the building in which the conversions are proposed; and
(2) The names and addresses of all owners or operators of said building; and
(3) A description of the proposed conversion including the nature of the conversion,
the total number of units in the building, their current uses; and
(4) The room numbers and locations of the units to be converted; and
(5) Preliminary drawings showing the existing floor plans and proposed floor plans;
and
(6) A description of the improvements or changes proposed to be constructed or
installed and the tentative schedule for start of construction; and
(7) The current rental rates for each residential unit to be converted; and
(8) The length of tenancy of the permanent residents affected by the proposed
conversion; and
(9) A statement regarding how one-for-one replacement of the units to be converted
will be accomplished, including the proposed location of replacement housing if replacement
is to be provided off-site; and

Supervisor Newsom
BOARD OF SUPERVISORS
(10) A declaration under penalty of perjury from the owner or operator stating that he/she has complied with the provisions of Section 41.14(b) below and his/her filing of a permit to convert. On the same date of the filing of the application, a notice that an application to convert has been filed shall be posted until a decision is made on the application to convert.

(c) Upon receipt of a completed application to convert or demolish, the *Bureau Department* of Building Inspection shall send the application to the Department of City Planning for review and shall mail notice of such application to interested community organizations and such other persons or organizations who have previously requested such notice in writing. The notice shall identify the hotel requesting the permit, the nature of the permit, the proposal to fulfill the replacement requirements of Section 41.13 herein, and the procedures for requesting a public hearing. Owner or operator shall post a notice informing permanent residents of such information.

(d) Any interested party may submit a written request within 15 days of the date notice is posted pursuant to subsection (c) above to the City Planning Commission to schedule and conduct a public hearing on the proposed conversion in order to solicit public opinion on whether to approve or deny a permit to convert or demolish residential units and to determine whether proposed replacement units are “comparable units” as defined in Section 41.4(b) herein.

**SEC. 41.13. ONE-FOR-ONE REPLACEMENT.**

(a) Prior to the issuance of a permit to convert, the owner or operator shall provide one-for-one replacement of the units to be converted by one of the following methods:

(1) Construct or cause to be constructed a comparable unit to be made available at comparable rent to replace each of the units to be converted; or
(2) Cause to be brought back into the housing market a comparable unit from any building which was not subject to the provisions of this Chapter; or

(3) Construct or cause to be constructed or rehabilitated apartment units for elderly, disabled or low-income persons or households which may be provided at a ratio of less than one-to-one; or construct or cause to be constructed transitional housing which may include emergency housing. The construction of any replacement housing under this subsection shall be evaluated by the City Planning Commission in accordance with the provisions of Section 303 of the City Planning Code. A notice of said City Planning Commission hearing shall be posted by the owner or operator 10 calendar days before the hearing; or

(4) Pay to the City and County of San Francisco an amount equal to 80 percent of the cost of construction of an equal number of comparable units plus site acquisition cost. All such payments shall go into a San Francisco Residential Hotel Preservation Fund Account. The Department of Real Estate shall determine this amount based upon two independent appraisals; or

(5) Contribute to a public entity or nonprofit organization, who will use the funds to construct comparable units, an amount at least equal to 80 percent of the cost of construction of an equal number of comparable units plus site acquisition cost. The Department of Real Estate shall determine this amount based upon two independent appraisals. In addition to compliance with all relevant City ordinances and regulations, the public entity or nonprofit organization and the housing development proposal of such public entity or nonprofit organization shall be subject to approval by the Mayor's Office of Housing.

(A) Such contribution shall be paid to the approved public entity or nonprofit organization in installments from an escrow account supervised by the Mayor's Office of Housing, upon application by such public entity or nonprofit organization to the Mayor's Office of Housing, for specified expenditures, including but not limited to site acquisition costs,
architect's fees, and construction costs; such payment shall be approved by the Mayor's Office of Housing prior to release of funds.

(B) The permit to convert shall be issued by the City when owner or operator deposits the full amount of funds in an escrow account described in subsection 41.13(a)(5)(A) above, or provides other form of non-refundable security acceptable to the City Attorney and the Mayor's Office of Housing.

(C) In the event that the public entity or nonprofit organization is unable to complete construction of the replacement housing, any unpaid amounts shall be released to the City. All such funds shall go into a San Francisco Residential Hotel Preservation Fund Account.

(b) Any displaced permanent resident relocated to replacement units provided under Subdivision (a) above shall be deemed to have continued his occupancy in the converted unit for the purpose of administering Subsection (k) of Section 37.2, San Francisco Administrative Code (San Francisco Rent Stabilization and Arbitration Ordinance).

(c) Any replacement units shall continue to be subject to the provisions of this Chapter.

(d) In the event that a completed application for a permit to convert is filed by a hotel owner or operator no later than the effective date of this amended Chapter, and such hotel owner or operator elects to provide one-for-one replacement of the residential units pursuant to Section 41.13(a) (4) or Section 41.13(a) (5) herein, the hotel owner or operator shall be obligated to pay to the City and County of San Francisco an amount equal to 40 percent of the cost of construction of an equal number of comparable units plus site acquisition cost, provided that such hotel owner or operator shall pay such amount to the City or provide to the City security for such payment in a form satisfactory to the Mayor's Office of Housing and the City Attorney within 90 days following the date that the Bureau Department of Building Inspection determines that the application for a permit to convert is complete, or, if
necessary, 10 days following final action, including any appeals, by the Planning Commission or appellate body, or 10 days following the Department of Real Estate's determination of such amount, whichever occurs latest. In the event that a hotel owner or operator elects to provide one-for-one replacement pursuant to Section 41.13(a)(2) or (a)(5) herein and the Mayor's Office of Housing has not approved a proposal or organization thereunder prior to the effective date of this amended Chapter, the Bureau Department of Building Inspection shall not reject such application as incomplete for such lack of information. If a hotel owner or operator applies for a permit to convert using the one-for-one replacement option described in 41.13(a)(2) or (a)(5) and the Mayor's Office of Housing does not approve a housing development proposal or a nonprofit organization, or such project fails to progress through no fault of the owner or operator, such applicant shall be permitted to provide one-for-one replacement pursuant to Section 41.13(a)(4) at 40 percent of the cost of construction of an equal number of comparable units plus site acquisition costs, provided that such applicant files the application under Section 41.13(a)(2) or (a)(5) no later than the effective date of this amended Chapter. The hotel owner or operator shall identify such housing proposal or nonprofit organization within 180 days of the effective date of this amended Chapter. In the event that the Mayor's Office of Housing finds that the permit applicant has acted in good faith in seeking a project, the Mayor's Office of Housing may exercise its reasonable discretion to extend the provisions of this subsection for an additional 180 days. In the event that a project approved by the Mayor's Office of Housing fails to move forward through no fault of the permit applicant, the applicant may substitute another project within six months of being notified by the Mayor's Office of Housing of a failure of the prior project to move forward. The Mayor's Office of Housing may extend this period for an additional 180 days to identify such new proposal. The City shall issue a permit to convert under this subsection 41.13(d) only if the hotel owner or operator has either paid the 40-percent in lieu fee to the City pursuant to
Section 41.13(a)(4) herein or complied with the requirements of Sections 41.13(a)(2) or (a)(5) as applicable. In the event that a hotel owner or operator has not complied with any of these requirements and the City has not issued a permit to convert or if the Mayor's Office of Housing has not found the hotel owner or operator has acted in good faith in seeking a project pursuant to subsections 41.13(a)(2) or (a)(5) or this subsection, no later than 180 days following the effective date of this amended Chapter, or such later date as herein provided, this Subsection 41.13(d) shall no longer be applicable, City shall refund any amounts deposited as security pursuant to the terms herein, and such hotel owner or operator shall comply with all applicable terms of this Chapter.

(e) When a residential unit is approved for conversion to another use pursuant to the provisions of Subsection 41.13(a)(2), (a)(4) or (a)(5) above, such unit shall not be deemed to be reconverted into a residential unit regardless of any interim uses after payment as set forth in Subsections 41.13(a)(2), (a)(4) or (a)(5).

SEC. 41.14. MANDATORY DENIAL OF PERMIT TO CONVERT.

A permit to convert shall be denied by Superintendent the Director of the Bureau Department or of Building Inspection if:

(a) The requirements of Sections 41.12 or 41.13, above, have not been fully complied with;

(b) The application is incomplete or contains incorrect information;

(c) An applicant has committed unlawful action as defined in this Chapter within 12 months previous to the issuance for a permit to convert;

(d) The proposed conversion or the use to which the unit would be converted is not permitted by the City Planning Code.
SEC. 41.15. APPROVAL AND ISSUANCE OF PERMIT TO CONVERT.

The Superintendent Director of the Bureau Department of Building Inspection shall issue a permit to convert, provided that:

(a) The requirements of Section 41.12 have been met;

(b) Evidence of compliance with the requirements of Section 41.13 has been submitted. Satisfactory evidence of compliance may be:

(1) A certification of final completion or permit of occupancy on the replacement housing; or

(2) A receipt from the City Treasurer that the in-lieu payment determined by the Department of Real Estate has been received; and

(3) Evidence of compliance with the requirements of Section 41.17 herein.

(c) The proposed conversion or the use to which the unit would be converted is permitted by the City Planning Code.

(d) Concurrent with the issuance of a permit to convert, the Superintendent Director of the Bureau Department of Building Inspection shall issue a new certificate of use which shall state the newly certified number of residential units and tourist units.

SEC. 41.16. APPEAL OF DENIAL OR APPROVAL OF PERMIT TO CONVERT.

(a) Denial or approval of a permit application may be appealed to the Board of Permit Appeals, pursuant to Sections 8 et seq. Part III of the San Francisco Municipal Code.

(b) The owner or operator shall submit a statement under the penalty of perjury that he has notified all the affected permanent residents of his appeal and of the date, time and place of the hearing before the Board of Permit Appeals, seven calendar days prior to the scheduled hearing.
(c) The appellant shall have the burden of proving that the determination of the Superintendent Director of the Bureau Department of Building Inspection is invalid.

SEC. 41.19. TEMPORARY CHANGE OF OCCUPANCY.

(a) Temporary Change of Occupancy.

(1) A tourist unit may be rented to a permanent resident, until voluntary vacation of that unit by the permanent resident or upon eviction for cause, without changing the legal status of that unit as a tourist unit.

(2) A permanent resident may be relocated for up to 21 days to another unit in the residential hotel for purposes of complying with the Building Code requirements imposed by the UMB Seismic Retrofit Ordinance, Ordinance No. 219-92, without changing the designation of the unit.

(3) A residential unit which is vacant at any time during the period commencing on May 1st and ending on September 30th annually may be rented as a tourist unit, provided that (i) the residential unit was vacant due to voluntary vacation of a permanent resident or was vacant due to lawful eviction for cause after the permanent resident was accorded all the rights guaranteed by State and local laws during his/her tenancy, (ii) the daily log shows that the residential unit was legally occupied for at least 50 percent of the period commencing on October 1st and ending on April 30th of the previous year, unless owner or operator can produce evidence to the Bureau Department of Building Inspection explaining such vacancy to the satisfaction of the Bureau Department of Building Inspection, including but not limited to such factors as repair or rehabilitation work performed in the unit or good-faith efforts to rent the unit at fair market value; and (iii) the residential unit shall immediately revert to residential use upon application of a prospective permanent resident.

25-percent Limit.
However, at no time during the period commencing on May 1st and ending on September 30th may an owner or operator rent for nonresidential use or tourist use more than 25 percent of the hotel's total residential units unless the owner or operator can demonstrate that (i) the requirements of 41.19(a)(3) above are met, (ii) good-faith efforts were made to rent such units to prospective permanent residents at fair market value for comparable units and that such efforts failed and (iii) the owner or operator has not committed unlawful action as defined in this Chapter within 12 months prior to this request. Owners or operators who seek to exceed this limit must request a hearing pursuant to Section 41.11(b) above and the decision whether to permit owners or operators to exceed this limit is within the discretion of the hearing officer.

(b) Special Requirements for Hearings on Tourist Season Rental of Residential Units. Where an owner or operator seeks a hearing in order to exceed the limit on tourist season rental of vacant residential units pursuant to Section 41.19(a)(3), the requirements of 41.11(b)(1), (b)(2) and (b)(3) above shall be applicable except as specifically modified or enlarged herein:

(1) Notice of Hearing. Notice of hearing as provided in Section 41.11(b)(1) above shall be given within 15 calendar days. The notice requirements for the owner or operator shall also be applicable to any interested party who has submitted a prior written request to the Superintendent Director of the Department of Building Inspection to be notified of such hearings.

(2) Time of Hearing. The hearing shall be held within 30 days of the submission of the owner or operator's written request for hearing.

(3) Burden of Proof. Burden of proof is on the owner or operator.

(4) Interested Party. Any interested party shall be deemed a “party to the hearing” for purposes of Section 41.11(b)(1).
(5) Determination of the Hearing Officer. Based upon the evidence presented at the hearing, conducted in accordance with Section 41.11(b)(3) above, the hearing officer shall make findings as to (i) whether the residential unit was vacant due to voluntary vacation of a permanent resident or was vacant due to lawful eviction, (ii) whether the residential unit was occupied for at least 50 percent of the period commencing on October 1st and ending on April 30th of the previous year, (iii) whether the owner or operator has committed unlawful action under this Chapter within 12 months prior to this request, and (iv) whether the owner or operator made good-faith efforts to rent vacant residential units to prospective permanent residents at no more than fair market value for a comparable unit during the tourist season and yet was unable to secure such rentals. Good-faith efforts shall include, but not be limited to, advertising the availability of the residential units to the public. In determining fair market value of the residential units, the hearing officer shall consider any data on rental of comparable units, as defined in Section 41.4(b) herein.

(6) Decision. The hearing officer shall render a written decision and findings within 10 working days of the hearing.

(7) Effect of Decision. The hearing officer’s decision shall remain in effect for the tourist season for which the owner or operator requested the hearing. If the owner or operator wishes to exceed the 25 percent limit during any subsequent tourist season, a new written request for hearing must be submitted to the Superintendent Director of the Bureau Department of Building Inspection.

(8) Construction. The purpose of this Section 41.19(b) is to supplement or modify provisions of Section 41.11(b) (1) through (b)(3). Unless otherwise specifically modified, all provisions of Sections 41.11(b)(1) through (b)(3) are deemed applicable to hearings concerning the tourist season limitation on rental of vacant residential units.
(c) Winter Rentals. A residential unit which is vacant at any time during the period commencing on October 1st and ending on April 30th annually may be rented as a tourist unit, provided that:

(1) Such owner or operator has been permitted to rent residential units as tourist units in excess of 25 percent of the residential units pursuant to Section 41.19(a)(3) above;

(2) The owner or operator has not committed unlawful action as defined in this Chapter within 12 months prior to the time of this request;

(3) A residential hotel may not rent in excess of 33 percent of the total number of residential units or 20 residential units, whichever is less, pursuant to this subsection;

(4) Applicants to temporarily convert residential units pursuant to this subsection shall submit applications to the Department of Public Works, in accordance with rules and regulations promulgated by the Department of Public Works;

(5) A maximum of 60 residential units may be approved per year to be rented as tourist units or nonresidential units pursuant to this Subsection 41.19(c). In the event that the number of such applications exceeds 60 residential units, the Department of Public Works shall establish a lottery system based on priority ranking where preference shall be accorded to residential hotel owners who have been eligible more frequently than other hotel owners for temporary conversion pursuant to Subsection 41.19(a)(3) above;

(6) Such nonresidential use is permitted by the zoning for such residential hotel; and

(7) No application for such temporary conversion shall be approved by the Department of Public Works to fill the unused portion of the 60 residential unit limitation for the previous year.

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SEC. 41.20. UNLAWFUL CONVERSION; REMEDIES; FINES.

(a) Unlawful Actions. It shall be unlawful to:

(1) Change the use of, or to eliminate a residential hotel unit or to demolish a residential hotel unit except pursuant to a lawful abatement order, without first obtaining a permit to convert in accordance with the provisions of this Chapter;

(2) Rent any residential unit for a term of tenancy less than seven days except as permitted by Section 41.19 of this Chapter;

(3) Offer for rent for nonresidential use or tourist use a residential unit except as permitted by this Chapter.

(b) Hearing for Complaints of Unlawful Conversions. Upon the filing of a complaint by an interested party that an unlawful conversion has occurred and payment of the required fee, the Superintendent Director of the Bureau Department of Building Inspection shall schedule a hearing pursuant to the provisions of Section 41.11(b). The complainant shall bear the burden of proving that a unit has been unlawfully converted. The hearing officer shall consider, among others, the following factors in determining whether a conversion has occurred:

(1) Shortening of the term of an existing tenancy without the prior approval of the permanent resident;

(2) Reduction of the basic services provided to a residential unit intended to lead to conversion. For the purpose of this section, basic services are defined as access to common areas and facilities, food service, housekeeping services and security;

(3) Repeated failure to comply with order of the Bureau Department of Building Inspection or the Department of Public Health to correct code violations with intent to cause the permanent residents to voluntarily vacate the premises;
(4) Repeated citations by the Superintendent Director of the Bureau Department of Building Inspection or the Department of Public Health of code violations;

(5) Offer of the residential units for nonresidential use or tourist use except as permitted in this Chapter;

(6) Eviction or attempts to evict a permanent resident from a residential hotel on grounds other than those specified in Sections 37.9(a)(1) through 37.9(a)(8) of the San Francisco Administrative Code except where a permit to convert has been issued;

(7) Repeated posting by the Superintendent Director of the Bureau Department of Building Inspection of notices of apparent violations of this Chapter pursuant to Section 41.11(c) above.

(c) Civil Penalties. Where the hearing officer finds that an unlawful conversion has occurred, the Superintendent Director of the Department of Building Inspection shall impose a civil penalty of three times the daily rate per day for each unlawfully converted unit from the day the complaint is filed until such time as the unit reverts to its authorized use. The daily rate shall be the rate unlawfully charged by the hotel owner or operator to the occupants of the unlawfully converted unit. The Superintendent Director may also impose penalties upon the owner or operator of the hotel to reimburse City or complainant for the costs of enforcement, including reasonable attorneys' fees, of this Chapter. The hearing officer's decision shall notify the parties of this penalty provision and shall state that the Superintendent Director of the Bureau Department of Building Inspection is authorized to impose the appropriate penalty by written notification to both the owner and operator, requesting payment within 30 days. If the penalty imposed is not paid, a lien to secure the amount of the penalty will be recorded against the real property pursuant to the provisions of Section 41.20(d) of this Chapter.

(d) Lien Proceedings.
(1) Preparation of Delinquency Report. If any penalty imposed pursuant to Sections 41.10(d), 41.10(f), 41.11(f) or 41.20(c) is not received within the required time period, the Superintendent Director of the Bureau Department of Building Inspection shall initiate proceedings to make the penalty, plus accrued interest, a special assessment lien against the real property regulated under this Chapter. The Superintendent Director shall prepare a delinquency report for the Board of Supervisors. For each delinquent account, the report shall contain the owner's name, the amount due, including interest, and a description of the real property. The report shall also indicate which of the delinquent accounts should be exempted from the lien procedure because of the small amounts involved, or because another debt collection procedure is more appropriate. The descriptions of the parcels shall be those used for the same parcels on the Assessor's map books for the current year.

(2) Notice. Five days prior to forwarding the delinquency report to the Board of Supervisors, the Superintendent Director of the Department of Building Inspection shall mail a copy of the report to any affected owner and shall post the report at the affected properties. Upon receipt of the report, the Board of Supervisors shall fix a time, date and place for hearing the report and any protest or objections thereto, and shall mail notice of the hearing to each owner of real property described in the report not less than 10 days prior to the date of hearing.

(3) Hearing and Confirmation. The Board of Supervisors shall hear the report with opportunity for any protests or objections of the owners of the real property liable to be assessed for delinquent accounts. The Board may make such revisions, corrections or modifications of the report as it may deem just, after which, by motion or resolution, it shall be confirmed. The Board's decision on the report on all protests or objections thereto shall be final and conclusive; provided, however, that any delinquent account may be removed from the report by payment in full at any time prior to confirmation of the report. The Clerk of the
Board shall cause the confirmed report to be verified in form sufficient to meet recording requirements.

(4) Collection of Assessment. Upon confirmation of the report by the Board, the delinquent charges contained herein shall constitute a special assessment against the property listed in the report. Each such assessment shall be subordinate to all existing special liens previously imposed upon such property and paramount to all other liens except those for state, county and municipal taxes with which it shall be in parity. The lien shall continue until the assessment and all interest due and payable thereon are paid. All laws applicable to the levy, collection and enforcement of municipal taxes shall be applicable to said special assessment.

(5) Recordation; Charges. The Clerk of the Board shall cause the confirmed and verified report to be recorded in the County Recorder’s Office within 10 days of its confirmation. The special assessment lien on each parcel of property described in said report shall carry additional charges for administrative expenses of $100 or 10 percent of the amount of the unpaid balance, including interest, whichever is higher.

(6) Filing with Controller and Tax Collector: Distribution of Proceeds. After the report is recorded, the Clerk of the Board shall file a certified copy with the Controller and Tax Collector, whereupon it shall be the duty of said officers to add the amount of said assessment to the next regular bill for taxes levied against said parcel or parcels of land for municipal purposes, and thereafter said amount shall be collected at the same time and in the same manner as ordinary City and County taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided for property taxes of the City and County of San Francisco. Except for the release of lien recording fee authorized in Subsection (7) below, all sums collected by the Tax Collector...
pursuant to this section shall be held in trust by the Treasurer and distributed as provided in
Section 41.8(e) of this Chapter.

(7) Release of Lien; Recording Fee. Upon payment to the Tax Collector of the
special assessment, the Tax Collector shall cause a Release Lien to be recorded with the
County Recorder, and from the sum collected pursuant to Subsection (6) above, shall pay to
the County Recorder a recording fee of $6.00.

(e) Civil Action An interested party may institute a civil proceeding for injunctive
relief and damages. The Superintendent Director of the Bureau Department of Building
Inspection may institute a civil proceeding for injunctive relief. Counsel for the interested party
shall notify the City Attorney's office of the City and County of San Francisco of any action
filed pursuant to this section. In determining whether an unlawful conversion has occurred, the
court may consider, among other factors, those enumerated in Section 41.20(b) of this
Chapter. The interested party instituting a civil proceeding, or the City suing to enforce this
Chapter, if prevailing parties, shall be entitled to the costs of enforcing this Chapter, including
reasonable attorney's fees, pursuant to an order of the Court.

SEC. 41.21. ANNUAL REVIEW OF RESIDENTIAL HOTEL STATUS.

(a) The Bureau Department of Building Inspection shall prepare and submit to the
Board of Supervisors an annual status report containing the following:

(1) Current data on the number of residential hotels and the number of residential
units in each of the residential hotels in the City and County of San Francisco, including, to the
extent feasible, information regarding rents, services provided, and violations of the City's
codes;

(2) Current data on the number of residential hotel units converted pursuant to a
permit to convert;
(3) Current data on the number of hotel units demolished or eliminated due to code abatement proceedings and fire;

(4) Current data on the number of residential hotel units illegally converted;

(5) Current data on the number of replacement housing units rehabilitated or constructed;

(6) A summary of the enforcement efforts by all City agencies responsible for the administration of this Chapter; and

(7) An evaluation of the workability and effectiveness of the permitted temporary change of occupancy procedures and winter rentals in Section 41.19 herein; and


(b) The Economic and Social Policy Committee of the Board of Supervisors shall conduct a hearing on the annual report submitted by the Bureau Department of Building Inspection and shall recommend appropriate actions to be taken by the Board of Supervisors.

(c) The Bureau Department of Building Inspection should establish a San Francisco Residential Hotel Operators Advisory Committee composed of:

- 3 members nominated by the San Francisco Hotel Association (for-profit operators);
- 3 members nominated by the Golden Gate Hotel Association (for-profit operators);
- 2 members nominated by the Council of Community Housing Organizations (nonprofit hotel operators);
- Deputy Mayor for Housing.

The committee shall meet no less than once every three months to advise the Mayor's Office of Housing on matters including, but not limited to:

(1) Proposed revisions to this ordinance;
(2) Programs that various City agencies (i.e. Mayor's Office of Housing, Department of Social Services, etc.) should develop to assist the City's residential hotel operators;

(3) Any state or federal laws the City should support, oppose or seek to revise that impact residential hotel operators;

(4) Any new City, State or Federal programs the City shall encourage that would provide financial or technical support or assistance to San Francisco Residential Hotel Operators.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: MARIE CORLETT BELTS
Deputy City Attorney
Ordinance amending Administrative Code Chapter 41 "Residential Hotel Unit Conversion and Demolition" by amending Sections 41.9 and 41.11 to require that hotels provide each adult occupant with a receipt showing each amount and time period paid, and also showing any associated charges, and providing for enforcement; and, updating terminology in Sections 41.9 through 41.16 and 41.19 through 41.21 to reflect prior Charter changes establishing a Director and Department of Building Inspection in place of the former Superintendent and Bureau of Building Inspection.

June 18, 2001  Board of Supervisors — PASSED ON FIRST READING
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Yee
Absent: 2 - McGoldrick, Sandoval

June 25, 2001  Board of Supervisors — FINALLY PASSED
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
I hereby certify that the foregoing Ordinance was FINALLY PASSED on June 25, 2001 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Mayor Willie L. Brown Jr.