Amending the Police Code by adding a new Section 919.1 to prohibit charges for visitors to guests and occupants of Residential Hotels, and to prohibit operators from restricting visitors to guests and occupants of Residential Hotels except in accordance with a Residential Hotel Visitor Policy approved by the Single Room Occupancy Safety and Stabilization Task Force; amending Administrative Code Sections 37.9(a)(1) and (2) to provide that a Residential Hotel occupant’s failure to pay a charge prohibited by Police Code Section 919.1 shall not constitute non-payment of rent or violation of a condition or obligation of tenancy; and amending the Administrative Code by adding a new Chapter 41D to authorize the Single Room Occupancy Safety and Stabilization Task Force to establish criteria for, and to approve Residential Hotel Visitor Policies.

Note: Additions are single-underline italics Times New Roman; deletions are strikethrough italics Times New Roman. Board amendment additions are double underlined. Board amendment deletions are strikethrough normal.

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

Section 1. The San Francisco Police Code is hereby amended by adding a new Section 919.1, to read as follows:

Sec. 919.1 PROHIBITING RESIDENTIAL HOTEL OPERATORS FROM CHARGING VISITOR FEES; LIMITING RESIDENTIAL HOTEL RESTRICTIONS ON VISITORS.

No operator, employee or agent of a Residential Hotel, as defined in San Francisco Administrative Code Section 41.4(p), may impose or collect a charge for any person to visit a guest or occupant of the hotel. No operator, employee or agent of Residential Hotel may implement or impose any policy restricting persons from visiting guests or occupants of a Residential Hotel except in
accordance with the provisions of a Residential Hotel Visitor Policy approved by the Single Room Occupancy Safety and Stabilization Task Force pursuant to Administrative Code Chapter 41D. The provisions of this Section shall be posted on an 8½ inch by 11 inch sign in the lobby of each such Residential Hotel in an area visible to guests and occupants.

Section 2. Chapter 37 of the San Francisco Administrative Code is hereby amended by amending Section 37.9, to read as follows:

SEC. 37.9. EVICTIONS.

Notwithstanding Section 37.3, this Section shall apply as of August 24, 1980, to all landlords and tenants of rental units as defined in Section 37.2(r).

(a) A landlord shall not endeavor to recover possession of a rental unit unless:

(1) The tenant:

(A) Has failed to pay the rent to which the landlord is lawfully entitled under the oral or written agreement between the tenant and landlord, except that a tenant’s nonpayment of a charge prohibited by Section 919.1 of the Police Code shall not constitute a failure to pay rent: or

(B) Habitually pays the rent late: or

(C) Gives checks which are frequently returned because there are insufficient funds in the checking account; or

(2) The tenant has violated a lawful obligation or covenant of tenancy other than the obligation to surrender possession upon proper notice or other than an obligation to pay a charge prohibited by Police Code Section 919.1, and failure to cure such violation after having received written notice thereof from the landlord, provided further that notwithstanding any lease provision to the contrary, a landlord shall not endeavor to recover possession of a rental unit as a result of subletting of the rental unit by the tenant if the landlord has unreasonably

Supervisor Daly
BOARD OF SUPERVISORS
withheld the right to sublet following a written request by the tenant, so long as the tenant continues to reside in the rental unit and the sublet constitutes a one-for-one replacement of the departing tenant(s). If the landlord fails to respond to the tenant in writing within fourteen (14) days of receipt of the tenant's written request, the tenant's request shall be deemed approved by the landlord; or

(3) The tenant is committing or permitting to exist a nuisance in, or is causing substantial damage to, the rental unit, or is creating a substantial interference with the comfort, safety or enjoyment of the landlord or tenants in the building, and the nature of such nuisance, damage or interference is specifically stated by the landlord in writing as required by Section 37.9(c); or

(4) The tenant is using or permitting a rental unit to be used for any illegal purpose; or

(5) The tenant, who had an oral or written agreement with the landlord which has terminated, has refused after written request or demand by the landlord to execute a written extension or renewal thereof for a further term of like duration and under such terms which are materially the same as in the previous agreement; provided, that such terms do not conflict with any of the provisions of this Chapter; or

(6) The tenant has, after written notice to cease, refused the landlord access to the rental unit as required by State or local law; or

(7) The tenant holding at the end of the term of the oral or written agreement is a subtenant not approved by the landlord; or

(8) The landlord seeks to recover possession in good faith, without ulterior reasons and with honest intent:

(i) For the landlord's use or occupancy as his or her principal residence for a period of at least 36 continuous months;
(ii) For the use or occupancy of the landlord's grandparents, grandchildren, parents, children, brother or sister, or the landlord's spouse, or the spouses of such relations, as their principal place of residency for a period of at least 36 months, in the same building in which the landlord resides as his or her principal place of residency, or in a building in which the landlord is simultaneously seeking possession of a rental unit under Section 37.9(a)(8)(i). For purposes of this Section 37.9(a)(8)(ii), the term spouse shall include domestic partners as defined in San Francisco Administrative Code Sections 62.1 through 62.8.

(iii) For purposes of this Section 37.9(a)(8) only, as to landlords who become owners of record of the rental unit on or before February 21, 1991, the term "landlord" shall be defined as an owner of record of at least 10 percent interest in the property or, for Section 37.9(a)(8)(i) only, two individuals registered as domestic partners as defined in San Francisco Administrative Code Sections 62.1 through 62.8 whose combined ownership of record is at least 10 percent. For purposes of this Section 37.9(a)(8) only, as to landlords who become owners of record of the rental unit after February 21, 1991, the term "landlord" shall be defined as an owner of record of at least 25 percent interest in the property or, for Section 37.9(a)(8)(i) only, two individuals registered as domestic partners as defined in San Francisco Administrative Code Sections 62.1 through 62.8 whose combined ownership of record is at least 25 percent.

(iv) A landlord may not recover possession under this Section 37.9(a)(8) if a comparable unit owned by the landlord is already vacant and is available, or if such a unit becomes vacant and available before the recovery of possession of the unit. If a comparable unit does become vacant and available before the recovery of possession, the landlord shall rescind the notice to vacate and dismiss any action filed to recover possession of the premises. Provided further, if a noncomparable unit becomes available before the recovery of possession, the landlord shall offer that unit to the tenant at a rent based on the rent that the landlord may not recover possession.
tenant is paying, with upward or downward adjustments allowed based upon the condition, size, and other amenities of the replacement unit. Disputes concerning the initial rent for the replacement unit shall be determined by the Rent Board. It shall be evidence of a lack of good faith if a landlord times the service of the notice, or the filing of an action to recover possession, so as to avoid moving into a comparable unit, or to avoid offering a tenant a replacement unit.

(v) It shall be rebuttably presumed that the landlord has not acted in good faith if the landlord or relative for whom the tenant was evicted does not move into the rental unit within three months and occupy said unit as that person’s principal residence for a minimum of 36 continuous months.

(vi) Once a landlord has successfully recovered possession of a rental unit pursuant to Section 37.9(a)(8)(i), then no other current or future landlords may recover possession of any other rental unit in the building under Section 37.9(a)(8)(i). It is the intention of this Section that only one specific unit per building may be used for such occupancy under Section 37.9(a)(8)(i) and that once a unit is used for such occupancy, all future occupancies under Section 37.9(a)(8)(i) must be of that same unit, provided that a landlord may file a petition with the Rent Board, or at the landlord’s option, commence eviction proceedings, claiming that disability or other similar hardship prevents him or her from occupying a unit which was previously occupied by the landlord.

(vii) If any provision or clause of this amendment to Section 37.9(a)(8) or the application thereof to any person or circumstance is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other chapter provisions, and clauses of this Chapter are held to be severable; or
(9) The landlord seeks to recover possession in good faith in order to sell the unit in accordance with a condominium conversion approved under the San Francisco subdivision ordinance and does so without ulterior reasons and with honest intent; or

(10) The landlord seeks to recover possession in good faith in order to demolish or to otherwise permanently remove the rental unit from housing use and has obtained all the necessary permits on or before the date upon which notice to vacate is given, and does so without ulterior reasons and with honest intent; provided that a landlord who seeks to demolish an unreinforced masonry building pursuant to Building Code Chapters 14 and 15 must provide the tenant with the relocation assistance specified in Section 37.9A(f) below prior to the tenant's vacating the premises; or

(11) The landlord seeks in good faith to remove temporarily the unit from housing use in order to be able to carry out capital improvements or rehabilitation work and has obtained all the necessary permits on or before the date upon which notice to vacate is given, and does so without ulterior reasons and with honest intent. Any tenant who vacates the unit under such circumstances shall have the right to reoccupy the unit at the prior rent adjusted in accordance with the provisions of this Chapter. The tenant will vacate the unit only for the minimum time required to do the work. On or before the date upon which notice to vacate is given, the landlord shall advise the tenant in writing that the rehabilitation or capital improvement plans are on file with the Central Permit Bureau of the Department of Building Inspection and that arrangements for reviewing such plans can be made with the Central Permit Bureau. In addition to the above, no landlord shall endeavor to recover possession of any unit subject to a RAP loan as set forth in Section 37.2(m) of this Chapter except as provided in Section 32.69 of the San Francisco Administrative Code. The tenant shall not be required to vacate pursuant to this Section 37.9(a)(11), for a period in excess of three months; provided, however, that such time period may be extended by the Board or its Administrative...
Law Judges upon application by the landlord. The Board shall adopt rules and regulations to implement the application procedure. Any landlord who seeks to recover possession under this Section 37.9(a)(11) shall pay the tenant actual costs up to $1,000 for moving and relocation expenses not less than 10 days prior to recovery of possession; or

(12) The landlord seeks to recover possession in good faith in order to carry out substantial rehabilitation, as defined in Section 37.2(s), and has obtained all the necessary permits on or before the date upon which notice to vacate is given, and does so without ulterior reasons and with honest intent. Notwithstanding the above, no landlord shall endeavor to recover possession of any unit subject to a RAP loan as set forth in Section 37.2(m) of this Chapter except as provided in Section 32.69 of the San Francisco Administrative Code; or

(13) The landlord wishes to withdraw from rent or lease all rental units within any detached physical structure and, in addition, in the case of any detached physical structure containing three or fewer rental units, any other rental units on the same lot, and complies in full with Section 37.9A with respect to each such unit; provided, however, that a unit classified as a residential unit under Chapter 41 of this Code which is vacated under this Section 37.9(a)(13) may not be put to any use other than that of a residential hotel unit without compliance with the provisions of Section 41.9 of this Code; or

(14) The landlord seeks in good faith to temporarily recover possession of the unit for less than 30 days solely for the purpose of effecting lead remediation or abatement work, as required by San Francisco Health Code Article 26. The relocation rights and remedies, established by San Francisco Administrative Code Chapter 72, including but not limited to, the payment of financial relocation assistance, shall apply to evictions under this Section 37.9(a)(14).

(b) A landlord who resides in the same rental unit with his or her tenant may evict said tenant without just cause as required under Section 37.9(a) above.
(c) A landlord shall not endeavor to recover possession of a rental unit unless at least one of the grounds enumerated in Section 37.9(a) or (b) above is the landlord's dominant motive for recovering possession and unless the landlord informs the tenant in writing on or before the date upon which notice to vacate is given of the grounds under which possession is sought and that advice regarding the notice to vacate is available from the Residential Rent Stabilization and Arbitration Board, before endeavoring to recover possession. A copy of all notices to vacate except three-day notices to vacate or pay rent and a copy of any additional written documents informing the tenant of the grounds under which possession is sought shall be filed with the Board within 10 days following service of the notice to vacate. The District Attorney shall determine whether the units set forth on the list compiled in accordance with Section 37.6(k) are still being occupied by the tenant who succeeded the tenant upon whom the notice was served. In cases where the District Attorney determines that Section 37.9(a)(8) has been violated, the District Attorney shall take whatever action he deems appropriate under this Chapter or under State law.

(d) No landlord may cause a tenant to quit involuntarily or threaten to bring any action to recover possession, or decrease any services, or increase the rent, or take any other action where the landlord's dominant motive is retaliation for the tenant's exercise of any rights under the law. Such retaliation shall be a defense to any action to recover possession. In an action to recover possession of a rental unit, proof of the exercise by the tenant of rights under the law within six months prior to the alleged act of retaliation shall create a rebuttable presumption that the landlord's act was retaliatory.

(e) It shall be unlawful for a landlord or any other person who wilfully assists the landlord to endeavor to recover possession or to evict a tenant except as provided in Section 37.9(a) and (b). Any person endeavoring to recover possession of a rental unit from a tenant or evicting a tenant in a manner not provided for in Section 37.9(a) or (b) without
having a substantial basis in fact for the eviction as provided for in Section 37.9(a) shall be
guilty of a misdemeanor and shall be subject, upon conviction, to the fines and penalties set
forth in Section 37.10. Any waiver by a tenant of rights under this Chapter shall be void as
contrary to public policy.

(f) Whenever a landlord wrongfully endeavors to recover possession or
recovers possession of a rental unit in violation of Sections 37.9 and/or 37.10 as enacted
herein, the tenant or Board may institute a civil proceeding for injunctive relief, money
damages of not less than three times actual damages, (including damages for mental or
emotional distress), and whatever other relief the court deems appropriate. In the case of an
award of damages for mental or emotional distress, said award shall only be trebled if the trier
of fact finds that the landlord acted in knowing violation of or in reckless disregard of Section
37.9 or 37.10A herein. The prevailing party shall be entitled to reasonable attorney's fees and
costs pursuant to order of the court. The remedy available under this Section 37.9(f) shall be
in addition to any other existing remedies which may be available to the tenant or the Board.

(g) The provisions of this Section 37.9 shall apply to any rental unit as
defined in Sections 37.2(r)(4)(A) and 37.2(r)(4)(B), including where a notice to vacate/quit any
such rental unit has been served as of the effective date of this Ordinance No. 250-98 but
where any such rental unit has not yet been vacated or an unlawful detainer judgment has not
been issued as of the effective date of this Ordinance No. 250-98.

(h) With respect to rental units occupied by recipients of tenant-based rental
assistance, the notice requirements of this Section 37.9 shall be required in addition to any
notice required as part of the tenant-based rental assistance program, including but not limited
to the notice required under 24 CFR Section 982.310(e)(2)(ii).

(i) The following additional provisions shall apply to a landlord who seeks to
recover a rental unit by utilizing the grounds enumerated in Section 37.9(a)(8):
(1) A landlord may not recover possession of a unit from a tenant under Section 37.9(a)(8) if the landlord has or receives notice, any time before recovery of possession, that any tenant in the rental unit:

(A) Is 60 years of age or older and has been residing in the unit for 10 years or more; or

(B) Is disabled within the meaning of Section 37.9(i)(1)(B)(i) and has been residing in the unit for 10 years or more, or is catastrophically ill within the meaning of Section 37.9(i)(1)(B)(ii) and has been residing in the unit for five years or more:

(i) A "disabled" tenant is defined for purposes of this Section 37.9(i)(1)(B) as a person who is disabled or blind within the meaning of the federal Supplemental Security Income/California State Supplemental Program (SSI/SSP), and who is determined by SSI/SSP to qualify for that program or who satisfies such requirements through any other method of determination as approved by the Rent Board;

(ii) A "catastrophically ill" tenant is defined for purposes of this Section 37.9(i)(1)(B) as a person who is disabled as defined by Section 37.9(i)(1)(B)(i), and who is suffering from a life threatening illness as certified by his or her primary care physician.

(2) The foregoing provisions of Sections 37.9(i)(1)(A) and (B) shall not apply where there is only one rental unit owned by the landlord in the building, or where each of the rental units owned by the landlord in the same building where the landlord resides (except the unit actually occupied by the landlord) is occupied by a tenant otherwise protected from eviction by Sections 37.9(i)(1)(A) or (B) and where the landlord's qualified relative who will move into the unit pursuant to Section 37.9(a)(8) is 60 years of age or older.

(3) The provisions established by this Section 37.9(i) include, but are not limited to, any rental unit where a notice to vacate/quit has been served as of the date this

---

Supervisor Daly
BOARD OF SUPERVISORS
amendment takes effect but where the rental unit has not yet been vacated or an unlawful
detainer judgment has not been issued.

(4) Within 30 days of personal service by the landlord of a written request, or,
at the landlord's option, a notice of termination of tenancy under Section 37.9(a)(8), the tenant
must submit a statement, with supporting evidence, to the landlord if the tenant claims to be a
member of one of the classes protected by Section 37.9(i). The written request or notice shall
contain a warning that a tenant's failure to submit a statement within the 30 day period shall
be deemed an admission that the tenant is not protected by Section 37.9(i). The landlord shall
file a copy of the request or notice with the Rent Board within 10 days of service on the tenant.
A tenant's failure to submit a statement within the 30 day period shall be deemed an
admission that the tenant is not protected by Section 37.9(i). A landlord may challenge a
tenant's claim of protected status either by requesting a hearing with the Rent Board or, at the
landlord's option, through commencement of eviction proceedings, including service of a
notice of termination of tenancy. In the Rent Board hearing or the eviction action, the tenant
shall have the burden of proof to show protected status. No civil or criminal liability under
Section 37.9(e) or (f) shall be imposed upon a landlord for either requesting or challenging a
tenant's claim of protected status.

(5) This Section 37.9(i) is severable from all other sections and shall be of no
force or effect if any temporary moratorium on owner/relative evictions adopted by the Board
of Supervisors after June 1, 1998 and before October 31, 1998 has been invalidated by the
courts in a final decision.

///
Section 3. The San Francisco Administrative Code is hereby amended by adding a
new Chapter 41D, to read as follows:

CHAPTER 41D. RESIDENTIAL HOTEL VISITOR POLICIES

SEC. 41D.1. Title

SEC. 41D.2. Purpose.

SEC. 41D.3. Authority of the Single Room Occupancy Hotel Safety and Stabilization Task
Force.


SEC. 41D.5. Approval of Visitor Policies

SEC. 41D.6. Review and Modification of Criteria

SEC. 41D.7. Implementation

SEC. 41D.8. Limitation of Liability


SEC. 41D.1. TITLE

This Chapter shall be known as the Residential Hotel Visitor Policy Ordinance.

SEC. 41D.2. PURPOSE.

The purpose of this ordinance is to establish a mechanism for the review and approval
of Visitor Policies for the City's Residential Hotels. Such policies shall be designed to protect the
safety, welfare and dignity of guests and occupants of Residential Hotels in the City. Pursuant to
Police Code Section 919.1, operators, employees or agents of Residential Hotels may not impose or
collect a fee for any person to visit a guest or occupant of the hotel, nor restrict visitors to guests or
occupants of these hotels except in accordance with an approved Visitor Policy, as set forth in this
Chapter.
SEC. 41D.3. AUTHORITY OF THE SINGLE ROOM OCCUPANCY HOTEL SAFETY AND STABILIZATION TASK FORCE.

(a) The Single Room Occupancy Hotel Safety and Stabilization Task Force ("SRO Task Force") was created by Board of Supervisors Resolution No. 869-99. In addition to the duties and obligations imposed by that resolution, the Task Force is hereby authorized to carry out the requirements of this Chapter for the review and approval of Residential Hotel Visitor Policies ("Visitor Policies"). For purposes of this Chapter, "Residential Hotel" shall have the same meaning as that set forth in Administrative Code Section 41.4(p).

(b) The SRO Task Force is authorized to establish criteria and procedures for approval of Visitor Policies. The Task Force is also authorized to approve a Uniform Residential Hotel Visitor Policy that may be adopted by hotel operators in lieu of the operator submitting a separate policy for approval. No Visitor Policy may be implemented or enforced prior to its approval by the SRO Task Force in accordance with this Chapter. The Housing, Transportation, and Land Use Committee of the Board of Supervisors, or a successor committee, shall review and approve the Task Force's proposed criteria and procedures, and all proposed amendments thereto, and any Uniform Residential Hotel Visitor Policy, and all proposed amendments thereto, that may be proposed by the Task Force.

SEC. 41D.4. DEVELOPMENT OF CRITERIA FOR APPROVAL OF VISITOR POLICIES.

(a) Not later than sixty(60) days from the effective date of this Chapter, the SRO Task Force shall promulgate procedures for the approval of Visitor Policies and appropriate guidelines for operators of Residential Hotels who wish to implement a Visitor Policy.

(b) The Visitor Policy criteria shall further the following goals:

(1) To enhance the safety and welfare of guests and occupants of Residential Hotels:
(2) To ensure the dignity and personal freedom of guests and occupants of Residential Hotels and their visitors by eliminating unnecessary restrictions on the ability of guests and occupants of Residential Hotels to conduct their personal and social lives in the manner that they choose.

(3) To prevent harassment or other inappropriate interference by Residential Hotel operators, employees or agents with the personal and social lives of Residential Hotel guests and occupants and their visitors.

(4) To respect the privacy rights and right to quiet enjoyment of other Residential Hotel guests and occupants.

(5) To recognize the obligation of SRO operators to maintain the safety of the premises.

(c) The criteria may take the form of templates for acceptable policies and/or specific requirements and limitations for policies. If the SRO Task Force chooses to promulgate a Uniform Residential Hotel Visitor Policy, such policy shall be consistent with these criteria.

(1) The SRO Task Force shall hold at least one public hearing on the proposed goals (including any Uniform Visitor Policy). Notice and hearing procedures shall conform to the requirements of Administrative Code Chapter 67, the "Sunshine Act."

(2) Not later than one year following the date of approval of the criteria, and annually thereafter, the SRO Task Force shall review the criteria and the Uniform Visitor Policy, if any, and consider whether revisions or modifications are necessary. The Task Force may approve any revisions or modifications only after a public hearing in accordance with the requirements of Administrative Code Chapter 67.

SEC. 41D.5. APPROVAL OF VISITOR POLICIES.

(a) The operator of a Residential Hotel wishing to implement a Visitor Policy other than the Uniform Residential Hotel Visitor Policy shall submit the proposed policy in writing to the SRO Task Force. The SRO Task Force may promulgate forms for this purpose.
(b) Not later than [60] days from the date a proposed Visitor Policy is submitted to the SRO Task Force, and following the opportunity for public hearing on the proposed policy, the Task Force shall either approve the proposed policy and notify the operator in writing, or disapprove and return the proposed policy to the operator with a written explanation of the reasons why the proposed policy does not meet the requirements for approval. Once approved, a Visitor Policy shall be subject to annual review by the SRO Task Force. The Task Force may require revisions to an approved Visitor Policy where necessary in order to bring the policy into conformity with updated or modified approval criteria.

(c) The operator of a Residential Hotel wishing to implement the Uniform Residential Hotel Visitor Policy shall submit written certification to the SRO Task Force of the operator's adoption of the Uniform Policy. Such certification shall be signed by the owner or operator, and shall state the date, at least five calendar days after the date of the certification, on which the Visitor Policy becomes effective. The Task Force may promulgate a form for this purpose. An operator who has provided this certification to the Task Force shall not be required to submit a separate Visitor Policy.

(d) Once approved, or, in the case of an operator using the Uniform Residential Hotel Visitor Policy, once the certification of adoption has been submitted, the Visitor Policy shall be posted on a minimum 8 1/2 inch by 11 inch sign in the lobby of each Residential Hotel in an area accessible to guests and occupants. The approved Visitor Policy shall not be effective, and may not be implemented unless and until it has been posted in the lobby for a minimum of five (5) calendar days. During the period the approved Visitor Policy is posted but not effective, it shall include a conspicuous notice indicating the date on which the Visitor Policy shall become effective.

(e) An operator or occupant of a Residential Hotel may appeal the decision of the SRO Task force regarding a proposed Visitor Policy for that hotel to the Housing, Transportation and Land Use Committee of the Board of Supervisors ("Housing Committee"). An operator or occupant wishing to appeal the SRO Task Force's decision shall submit written notice to the Clerk of the Board of
Supervisors within ten (10) business days from the date the Task Force's written decision is issued.

Such notice shall state the basis for the challenge. The Clerk of the Board shall schedule the appeal for the next available meeting of the Housing Committee, in conformance with the requirements of Administrative Code Chapter 67, and shall send written notice of the date and time of the hearing to the operator and guests and occupants of that Residential Hotel. The Housing Committee shall review the decision of the SRO Task Force for conformity with the criteria and procedures for approval promulgated by the Task Force. The operator and the guests and occupants shall have the opportunity to submit written and oral testimony. Following such testimony and comment from interested members of the public, the Housing Committee shall vote to either affirm, reverse, or reverse with changes, the decision of the SRO Task Force. The decision of the Housing Committee shall be final.

SEC. 41D.6. REVIEW AND MODIFICATION OF CRITERIA

(a) The SRO Task Force may amend the criteria and procedures for approving Visitor Policies at a meeting noticed pursuant to the requirements of Administrative Code Chapter 67. Any such modifications shall be consistent with the requirements of this Chapter.

(b) Interested parties, including, but not limited to, operators, guests and occupants, visitors, law enforcement, health and human service agencies and interested organizations may request that the SRO Task Force amend the criteria and procedures for approval of Visitor Policies. If the SRO Task Force puts such a request on a meeting agenda, the amendment or modification shall be handled in accordance with Subsection (a).

SEC. 41D.7. IMPLEMENTATION

The requirements of Section 41D.3, prohibiting visitor policies except where such policies have been approved pursuant to this Chapter, shall not apply until ninety (90) days after the SRO Task force has promulgated criteria and procedures for approval of Visitor Policies.
SEC. 41D.8. LIMITATION OF LIABILITY

By adopting this Residential Hotel Visitor Policy Ordinance, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SEC. 41D.9. SEVERABILITY

If any provision, subdivision, section, paragraph, phrase or clause of this Chapter or the application thereof is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Chapter. The remainder of this Chapter shall remain effective and enforceable to the fullest extent allowed by law. All clauses and provisions of this Chapter are hereby declared to be severable.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: VIRGINIA DARIO ELIZONDO
Deputy City Attorney
Ordinance amending Police Code by adding a new Section 919.1 to prohibit charges for visitors to guests and occupants of Residential Hotels, and to prohibit operators from restricting visitors to guests and occupants of Residential Hotels except in accordance with a Residential Hotel Visitor Policy approved by the Single Room Occupancy Safety and Stabilization Task Force; amending Administrative Code Sections 37.9(a)(1) and (2) to provide that a Residential Hotel occupant's failure to pay a charge prohibited by Police Code Section 919.1 shall not constitute non-payment of rent or violation of a condition or obligation of tenancy; and amending the Administrative Code by adding a new Chapter 41D to authorize the Single Room Occupancy Safety and Stabilization Task Force to establish criteria for, and to approve Residential Hotel Visitor Policies.

June 18, 2001 Board of Supervisors — AMENDED
June 18, 2001 Board of Supervisors — PASSED ON FIRST READING AS AMENDED
   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.