

FILE NO. 031701

ORDINANCE NO. 9-04

1 [Distribution of literature by a residential tenant in a building to other tenants in the building,
2 regarding matters of common interest or concern to the tenancies.]

3 **Ordinance adding Administrative Code Chapter 49A "Residential Tenant**
4 **Communications"** regarding a residential tenant's permissible use of common areas to
5 **distribute literature to other tenants in the building, including literature distributed on**
6 **behalf of a tenants' association or other tenants' organization, where the literature**
7 **relates to issues of common interest or concern to the building's tenancies;**
8 **distribution may include placement of literature on or in front of tenant doors, with the**
9 **distributor's name/address/telephone number plainly included for any tenant to opt out**
10 **of future doorway distributions; and, the landlord may establish other reasonable**
11 **requirements as to the time, place, manner, and volume, of such literature distribution.**

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13 Note: Additions are single-underline italics Times New Roman font;
14 deletions are ~~strikethrough italics Times New Roman font~~.
15 Board amendment additions are double underlined Arial font;
16 Board amendment deletions are ~~strikethrough Arial font~~.

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

18 Section 1. The San Francisco Administrative Code is hereby amended by adding
19 Chapter 49A "Residential Tenant Communications," to read as follows:

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21 Section 49A.1. The Board of Supervisors finds that, particularly with the large proportion of
22 rental units in the City and County of San Francisco, good communications among tenants and
23 between tenants and landlords about these tenancies is important to the ongoing vitality of the
24 community. This Ordinance is intended to encourage and respect those communicative channels.

25
SUPERVISOR PESKIN, DALY, MCGOLDRICK, GONZALEZ, SANDOVAL, AMMIANO
BOARD OF SUPERVISORS

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1 Section 49A.2. A landlord may not prohibit a tenant who resides in a building from using
2 common areas in that building to distribute literature to other building tenants, including literature
3 distributed on behalf of a tenants' association or other tenants' organization, where the literature
4 relates to issues of common interest or concern to the building's tenancies.

5 (a) Distribution may include hanging or otherwise placing literature on the door of tenant
6 units, or where that is not possible as a practical matter then the literature may be placed on the floor
7 in front of tenant units. Such literature placed on or in front of the door of a tenant unit must plainly
8 include the name and telephone number and address of a distributor that the affected tenant may
9 contact to opt out of future doorway distributions of such literature.

10 (b) The landlord may establish other reasonable requirements as to the time, place, manner,
11 and volume, of such literature distribution, including a limitation of distribution under this Chapter to
12 no more than once per calendar Quarter.

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15 Section 49A.3.

16 (a) The provisions of this Chapter 49A are not applicable to purely commercial literature that
17 is not directly related to the building tenancies.

18 (b) The provisions of this Chapter 49A shall not be read to limit or replace residential tenant or
19 landlord rights or remedies found in other ordinances, or in statutes or Constitutions.

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

24 By:


25 MARIE CORLETT BLITS
Deputy City Attorney

SUPERVISOR PESKIN
BOARD OF SUPERVISORS



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 031701

Date Passed:

Ordinance adding Administrative Code Chapter 49A "Residential Tenant Communications" regarding a residential tenant's permissible use of common areas to distribute literature to other tenants in the building, including literature distributed on behalf of a tenants' association or other tenants' organization, where the literature relates to issues of common interest or concern to the building's tenancies; distribution may include placement of literature on or in front of tenant doors, with the distributor's name/address/telephone number plainly included for any tenant to opt out of future doorway distributions; and, the landlord may establish other reasonable requirements as to the time, place, manner, and volume, of such literature distribution.

December 16, 2003 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin,
Sandoval
Noes: 1 - Hall
Excused: 1 - Newsom

January 6, 2004 Board of Supervisors — FINALLY PASSED


Ayes: 9 - Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom,
Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Daly

File No. 031701

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on January 6, 2004
by the Board of Supervisors of the City and
County of San Francisco.

JAN 16 2004

Date Approved



Gloria L. Young
Clerk of the Board
