

1 [Residential Rent Ordinance, Additional Keys: Landlord must respond within 14 days of
2 written tenant request for additional keys/key-sets by providing keys or written denial;
3 replication costs only, no other charges/deposits/conditions; unreasonable denial or failure to
respond or impermissible terms or conditions constitute "substantial" decrease in housing
services.]

4 **Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization
5 and Arbitration Ordinance" by amending Section 37.13 "Keys" to provide that: the
6 landlord must provide additional keys/key-sets within fourteen (14) days of a tenant's
7 written request unless the landlord denies the request in writing within that time period
8 (the current ordinance does not set a deadline for providing the additional keys/key-
9 sets), and failure to respond within the fourteen days constitutes a substantial
10 decrease in housing services; the landlord may charge only for documented replication
11 costs and may not require other charges or deposits or terms or conditions of any
12 kind, and imposing such other terms or conditions constitutes a substantial decrease
13 in housing services; a tenant's petition to the Rent Board to decide a disputed request
14 may include a failure to respond within fourteen days, or a disagreement regarding
15 terms or conditions for the additional keys/key-sets; and, unreasonable denial of
16 additional keys/key-sets also constitutes a "substantial" decrease in housing services
17 (the word "substantial" is new in this provision).**

18 Note: Additions are single-underline italics Times New Roman font;
19 deletions are ~~strikethrough italics Times New Roman font~~.
20 Board amendment additions are double underlined Arial font;
21 Board amendment deletions are ~~strikethrough Arial font~~.

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

23 Section 1. The San Francisco Administrative Code is hereby amended by amending
24 Section 37.13, to read as follows:
25

1 SEC. 37.13. KEYS.

2 (a) A landlord shall provide a minimum of one key or key-set per rental unit for each
3 adult occupant, without charge.

4 (b) Additional Keys/Key-Sets. Upon receipt of a tenant's written request for extra keys/key-
5 sets stating the reason(s) for the request a landlord shall provide the extra keys/key set, unless the
6 landlord determines that the request is unreasonable under the circumstances and provides the tenant
7 with specific written reasons for the rejection within fourteen days of the request.

8 (1) — A tenant may request ~~extra~~ keys/key-sets in addition to those provided pursuant to
9 Section 37.13(a), for his or her convenience. Requested additional keys/key sets must be provided
10 within fourteen (14) days of the tenant's written request stating the reason(s), unless the landlord
11 timely denies the request in writing as provided in Section 37.13(b)(3). Examples of tenant reasons
12 for receiving additional keys/key-sets include, but are not limited to: admitting a service provider,
13 ~~or a~~ delivery person, ~~or a~~ houseguest, or relative. All keys are issued for the duration of a tenancy,
14 to be returned upon vacating the unit.

15 (2) ~~1~~ When providing requested additional keys/key-sets to a tenant, ~~The~~ the landlord may
16 charge *only* for the documented cost of replicating the additional ~~extra~~ keys/key-sets, which cost
17 shall be paid by the tenant upon delivery of the requested additional keys/key sets. Additional keys/key
18 sets shall be provided without requiring any other costs, fees, deposits, or terms or conditions of any
19 kind whatsoever.

20 (3) ~~2~~ The landlord may deny the request for ~~extra~~ additional keys/key-sets only for
21 good reason, such as unlawful occupancy in the tenant's unit ~~or a~~ the tenant's pattern of lease
22 violation. Any landlord denial must be provided to the tenant in writing, stating specific reasons for
23 the denial, within fourteen (14) days of the written request.

24 (4) ~~3~~ A tenant may file a petition with the Board to decide a disputed request for ~~extra~~
25 additional keys or key-sets which may constitute a substantial decrease in housing services,

1 and/or to decide a disagreement concerning landlord charges or deposits (Section 37.13(b)(2)). A
2 disputed request includes a failure to respond within fourteen days (Section 37.13(b)(1)), a
3 disagreement concerning landlord terms and conditions (Section 37.13(b)(2)), and a denial (Section
4 37.13(b)(3)).

5 (A) The Board through its Administrative Law Judges shall conduct a hearing in
6 order to decide the petition.

7 (B) The decision of the Administrative Law Judge shall be final unless the Board
8 vacates the decision on appeal.

9 (C) Either party may file an appeal of the Administrative Law Judge's decision with
10 the Board. Such appeals are governed by Section 37.8(f).

11 (~~5~~ 4) Unreasonable denial of ~~extra~~ additional keys/key-sets requested under this Section
12 37.13(b), or failure to respond to the tenant's written request within fourteen days by providing either
13 the keys/key-sets or a written denial as provided by Sections 37.13(b)(1) and (3), or imposition of terms
14 or conditions prohibited by Section 37.13(b)(2), constitutes a substantial decrease in housing
15 services, for which the Administrative Law Judge may order a corresponding reduction in rent.

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

20 By:


21 MARIE CORLETT BLITS
22 Deputy City Attorney
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24
25

SUPERVISOR DALY
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: 041688

Date Passed:

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.13 "Keys" to provide that: the landlord must provide additional keys/key-sets within fourteen (14) days of a tenant's written request unless the landlord denies the request in writing within that time period (the current ordinance does not set a deadline for providing the additional keys/key-sets), and failure to respond within the fourteen days constitutes a substantial decrease in housing services; the landlord may charge only for documented replication costs and may not require other charges or deposits or terms or conditions of any kind, and imposing such other terms or conditions constitutes a substantial decrease in housing services; a tenant's petition to the Rent Board to decide a disputed request may include a failure to respond within fourteen days, or a disagreement regarding terms or conditions for the additional keys/key-sets; and, unreasonable denial of additional keys/key-sets also constitutes a "substantial" decrease in housing services (the word "substantial" is new in this provision).

March 29, 2005 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,
Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

April 5, 2005 Board of Supervisors — FINALLY PASSED

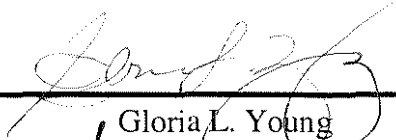
Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi,
Peskin, Sandoval
Absent: 2 - Alioto-Pier, Daly

File No. 041688

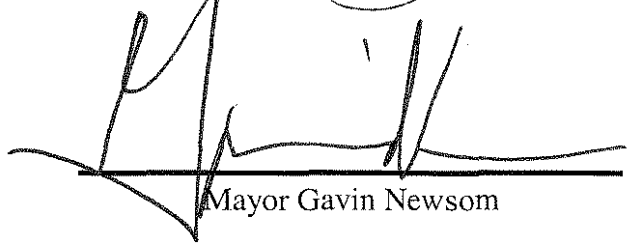
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 5, 2005 by
the Board of Supervisors of the City and
County of San Francisco.

4/15/2005

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom