

1 [Rent Ordinance: Evictions involving school-age children; Findings.]

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3 **Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance**
4 **(Administrative Code Chapter 37) by amending Section 37.6(j) to identify and report**
5 **data on evictions involving school-age children, include data on evictions during the**
6 **school term; Findings.**

7 Note: Additions are *single-underline italics Times New Roman font*;
8 deletions are ~~*striketrough italics Times New Roman font*~~.
9 Board amendment additions are double underlined Arial font;
Board amendment deletions are ~~striketrough Arial font~~.

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

11 Section 1. Findings.

12 The Board finds that:

- 13 A. The City as a whole is vitally interested in the well-being of its student population;
- 14 B. Repeated or significant disruption of continuous education has repeatedly been
15 shown to negatively impact students' school performance;
- 16 C. Students who miss very many days of school tend to fall behind;
- 17 D. Students who change schools during the school year are often placed in new
18 classrooms before their records are transferred, leading to inappropriate placement;
- 19 E. Students who change schools are less able to form lasting relationships with their
20 teachers and often fail to seek needed help;
- 21 F. Moving is stressful for families and this also negatively affects student performance;
- 22 G. Students who are highly mobile are more likely to achieve below grade level, repeat
23 grades more frequently, and have lower rates of graduation; and,
- 24 H. A City and County of San Francisco Legislative Analyst's Report (OLA No. 020-06 -
25 Evictions and Student Performance) documents some of these studies on the negative

SUPERVISOR McGOLDRICK, *Mickarimi*
BOARD OF SUPERVISORS

1 impacts of student mobility, which Report is on file with the Clerk of the Board of Supervisors
2 in File No. 061077;

3 I. State and local education departments track overall student mobility but do not
4 categorize and track mobility caused by residential evictions;

5 J. The City's Residential Rent Stabilization and Arbitration Ordinance provides for
6 tracking and reporting on some types of evictions but evictions involving minor children are
7 not specifically counted; and,

8 K. Accurate records of student dislocation in San Francisco due to residential evictions
9 are not currently available.

10 L. The Board therefore finds that it would be beneficial for the Residential Rent
11 Stabilization and Arbitration Board (Rent Board) to modify and expand its eviction data
12 collection and reporting to include statistics on evictions of families with minor children,
13 particularly children who are school-age (kindergarten through grade twelve), which data can
14 be supplemented by data from other agencies such as the San Francisco Unified School
15 District as available.

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17 Section 2. The San Francisco Administrative Code is hereby amended by amending
18 Section 37.6(j), to read as follows:

19 SEC. 37.6. POWERS AND DUTIES.

20 In addition to other powers and duties set forth in this Chapter, and in addition to
21 powers under the Charter and under other City Codes, including powers and duties under
22 Administrative Code Chapter 49 ("Interest Rates on Security Deposits"), the Board shall have
23 the power to:
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1 (a) Promulgate policies, rules and regulations to effectuate the purposes of this
2 Chapter, and to effectuate the purposes of Administrative Code Chapter 41D;

3 (b) Hire such staff, including Administrative Law Judges, as may be reasonably
4 necessary to perform its functions, and promulgate standards for all such staff, subject to the
5 Civil Service provisions of the Charter;

6 (c) Conduct rental arbitration hearings and residential hotel visitor policy hearings,
7 and administer oaths and affirmations in connection with such hearings;

8 (d) Publish, on March 1st of each year, the increase in the CPI for the preceding 12
9 months, as made available by the U.S. Department of Labor;

10 (e) Make studies and surveys and conduct such hearings as necessary to perform
11 its functions;

12 (f) Report biannually to the Mayor and the Board of Supervisors on its activities and
13 on progress made towards the achievement of the purposes of the Chapter;

14 (g) Make available to the public, on request, policies, rules and regulations, reports
15 and surveys in accordance with applicable State law;

16 (h) Issue rules and regulations for the conduct of its own affairs;

17 (i) Be empowered to request and, if granted, to receive funds appropriated by the
18 Board of Supervisors through the mayor;

19 (j) Maintain, on at least a monthly basis, statistics on the number of notices to
20 vacate filed with the Board pursuant to Section 37.9(c) and statistics on the causes given in
21 such notices or in any additional written documents as provided in Section 37.9(c). Statistics
22 shall include available data on evictions involving school-age (kindergarten through grade twelve)
23 children, including data on whether the evictions occurred during the school term. Said statistics
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1 shall be published in a report on March 1st every year, and copies of the report shall be
2 submitted to the Mayor and Board of Supervisors;

3 (k) Compile a list at random, on a monthly basis, of 10 percent of the notices to
4 vacate filed pursuant to Section 37.9(c) which state on the notice or in any additional written
5 document any causes under Section 37.9(a)(8) as the reason for eviction. Said list shall be
6 transmitted to the District Attorney on a monthly basis for investigation pursuant to Section
7 37.9(c).

8 (l) Periodically review the Uniform Visitor Policy for Residential Hotels and
9 determine amendments as appropriate; and hear and determine hotel operator petitions for
10 Supplemental Visitor Policies, consistent with Administrative Code Chapter 41D (Residential
11 Hotel Visitor Policies).

12 (m) Hear and decide petitions from residential hotel occupants (whether or not an
13 occupant qualifies as a "tenant" under this Chapter 37) who allege violation of Administrative
14 Code Chapter 41D, including alleged violations of the Uniform Visitor Policy or any approved
15 Supplemental Visitor Policy. Current or former hotel occupants may file such petitions. These
16 petitions may require a determination whether, and to what extent, a residential hotel's
17 policies are in compliance with Administrative Code Chapter 41D, including compliance with
18 the Uniform Visitor Policy.

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

22 By: 
23 MARIE C. BLITS
24 Deputy City Attorney

25
**SUPERVISOR McGOLDRICK
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: 061077

Date Passed:

Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) by amending Section 37.6(j) to identify and report data on evictions involving school-age children, include data on evictions during the school term; Findings.

September 26, 2006 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

October 3, 2006 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 061077

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on October 3, 2006
by the Board of Supervisors of the City and
County of San Francisco.

10/11/2006

Date Approved

Kay Gelberg

Gloria L. Young

Clerk of the Board

Mayor Gavin Newsom