

[Administrative Code - Annual Reports on Evictions from Subsidized Housing]

Ordinance amending the Administrative Code to require recipients of City-funded contracts for the administration or development of housing to submit annual reports to departments awarding the contracts on the number of tenants who receive notices of eviction or are evicted; and to require the awarding departments to submit annual reports on the same to the Mayor and Board of Supervisors.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font. **Additions to Codes** are in *single-underline italics Times New Roman font*. **Deletions to Codes** are in *strikethrough italics Times New Roman font*. **Board amendment additions** are in double-underlined Arial font. **Board amendment deletions** are in ~~strikethrough Arial font~~. **Asterisks (* * * *)** indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. The Administrative Code is hereby amended by adding Article XIV, Sections 20.500 through 20.508, to Chapter 20, to read as follows:

ARTICLE XIV: TENANT EVICTION ANNUAL REPORTS

SEC. 20.500. TITLE.

This Article XIV shall be known as the "Tenant Eviction Annual Reports Ordinance."

SEC. 20.501. DEFINITIONS.

For purposes of this Article XIV, the following definitions shall apply.

"Contractor" shall mean any person or persons, firm, partnership, corporation, or combination thereof, or other entity that enters into a Housing-Related Contract with the City.

1 “Fiscal Year” shall mean the twelve-month period commencing on July 1 and ending June 30.

2 “Housing” shall mean any housing, including, but not limited to, single occupancy residential
3 hotels and Supportive Housing, except that “Housing” shall not include Transitional Housing or
4 housing for Residential Treatment Services.

5 “Housing-Related Contract” shall mean any contract, lease, memorandum of understanding, or
6 other agreement or amendment thereto entered into with the City on or after the effective date of this
7 Article XIV for the administration or development of Housing, paid for in whole or in part by the City
8 out of moneys deposited in the treasury or out of trust moneys under the control of, or collected by, the
9 City, except that “Housing-Related Contract” shall not include agreements between the San Francisco
10 Housing Authority and the City, funded by grants or loans provided through the Mayor’s Office of
11 Housing and Community Development (“MOHCD”) or agreements between the City and any person
12 or entity funded by grants provided under MOHCD’s Lead Hazard Control Program. MOHCD’s Lead
13 Hazard Control Program is the MOHCD program that provides grants to homeowners to remediate
14 lead hazards on their property and is funded by grants from the United States Department of Housing
15 and Urban Development.

16 “Notice of Eviction” shall mean a notice to a tenant of Housing instructing the tenant to vacate
17 or quit premises leased by the tenant.

18 “Supportive Housing” shall mean housing for tenants that includes on-site supportive services,
19 including, without limitation, intake and assessment of tenant needs, outreach to the tenants to assist
20 them with health or social needs, management of the health or social needs of tenants, mediation of
21 disputes with the property management, and referrals for services to the tenants.

22 “Residential Treatment Services” shall mean rehabilitative services, provided in a residential
23 setting, for persons at risk of hospitalization or other institutional placement, including, without
24 limitation, services that support the recipients of services in their efforts to restore, maintain, and apply
25 interpersonal and independent living skills and to access community support systems.

1 “Transitional Housing” shall mean temporary housing for persons for participation in
2 available services focused on achieving educational and/or vocational goals designed to provide a
3 permanent exit from homelessness, including, without limitation, individual education plans,
4 independent living skills, preparation for employment, and teaching budgeting and money
5 management.

6
7 **SEC. 20.502. ANNUAL REPORTS BY CONTRACTORS.**

8 By August 1 of each year, e(a) Each year, each Contractor shall submit to each
9 department that has awarded it a Housing-Related Contract a written report (the “Contractor
10 Report”), substantially in the form specified by the department, that provides the following information
11 for the prior Fiscal Year for each Housing facility administered or developed by the Contractor under
12 the Housing-Related Contract:

13 (a1) the number of tenants and households who lived in the Housing facility during the Fiscal
14 Year;

15 (b2) the number of tenants and households to whom the Contractor issued Notices of Evictions
16 during the Fiscal Year and the reason for each notice;

17 (c3) the number of unlawful detainer actions that were filed in a court of law by the Contractor
18 during the Fiscal Year, and the reason for each filing; and

19 (d4) the number of tenants and households evicted from the Housing facility by the Contractor
20 during the Fiscal Year and the reason for each eviction.

21 (b) Each Contractor that has entered into a Housing-Related Contract through MOHCD
22 shall submit the Contractor Report to MOHCD by the deadline set by MOHCD by written
23 notice to the Contractor. All other Contractors shall submit Contractor Reports to the
24 departments by August 1.

25 **SEC. 20.503. ENCOURAGED REPORTING.**

1 The Board of Supervisors encourages each person or other entity that has entered into a
2 contract with the City prior to the effective date of this Article XIV, which but for the date of the
3 contract would meet the definition of Housing-Related Contract, to submit to the department that
4 awarded the contract, in the time and manner specified in Section 20.502, a written report (the
5 “Contractor Encouraged Report”) containing the information specified in that Section.

6
7 **SEC. 20.504. ANNUAL REPORTS BY DEPARTMENTS.**

8 By September 1 of each year, based on the Contractor Reports and Contractor Encouraged
9 Reports submitted to it, each department shall submit a written report (the “Department Report”) to
10 the Board of Supervisors and the Mayor containing the information required and encouraged in
11 Sections 20.502 and 20.503 for the prior Fiscal Year for each Housing facility for which the
12 department receives a report (the "Eviction Information"). Alternately, for any year, the
13 department may submit the Eviction Information to the Board of Supervisors and the Mayor in
14 the annual report required of the department in Section 2A.30 of the Administrative Code.

15
16 **SEC. 20.505. INCORPORATION BY REFERENCE.**

17 In each Housing-Related Contract, the Contractor shall agree to comply with the requirements
18 of this Article XIV and each Housing-Related Contract shall incorporate this Article by reference as
19 though fully set forth therein.

20
21 **SEC. 20.506. NONDISCLOSURE.**

22 No Contractor Report, Contractor Encouraged Report, or Department Report shall disclose the
23 name of any tenant or household or any other information that identifies a tenant or household who
24 received a Notice of Eviction or was evicted from a Housing facility. This Article does not require the
25 disclosure of any information the disclosure of which is prevented by law.

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2 **SEC. 20.507. ENFORCEMENT.**

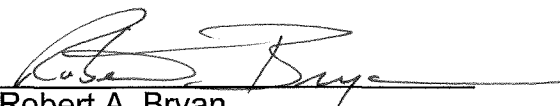
3 Any failure of a Contactor to comply with the requirements of this Article XIV shall be a
4 material breach of the Housing-Related Contract.

5
6 **SEC. 20.508. NO CONFLICT WITH FEDERAL LAW, STATE LAW, GRANTS, OR**
7 **SUBVENTIONS.**

8 Nothing in this Article XIV shall be interpreted or applied so as to create any requirement,
9 power, or duty in conflict with any federal or state law. This Article shall not apply to Housing-Related
10 Contracts where the requirements of this Article would violate or be inconsistent with the terms or
11 conditions of a grant or subvention used in payment of the Housing-Related Contract.

12
13 Section 2. Effective Date. This ordinance shall become effective 30 days after
14 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
15 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
16 of Supervisors overrides the Mayor's veto of the ordinance.

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

21 By: 
22 Robert A. Bryan
23 Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

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

File Number: 141122

Date Passed: January 27, 2015

Ordinance amending the Administrative Code to require recipients of City-funded contracts for the administration or development of housing to submit annual reports to departments awarding the contracts on the number of tenants who receive notices of eviction or are evicted; and to require the awarding departments to submit annual reports on the same to the Mayor and Board of Supervisors.

January 07, 2015 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

January 07, 2015 Budget and Finance Committee - RECOMMENDED AS AMENDED

January 13, 2015 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

January 27, 2015 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Mar, Tang, Wiener and Yee
Excused: 1 - Kim

File No. 141122

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 1/27/2015 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved