

1 [Administrative Code - Residential Hotel Status Report Requirement]

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3 **Ordinance amending the Administrative Code to require the completion of a report of**
4 **residential hotel status, and disclosure of the report to the buyer or transferee, prior to**
5 **the sale or transfer of a residential hotel; and affirming the Planning Department's**
6 **determination under the California Environmental Quality Act.**

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

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

15 Section 1. Environmental Findings.

16 The Planning Department has determined that the actions contemplated in this
17 ordinance comply with the California Environmental Quality Act (California Public Resources
18 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
19 Supervisors in File No. 170416 and is incorporated herein by reference. The Board affirms
20 this determination.

21 Section 2. The Administrative Code is hereby amended by adding a new Section
22 41.22 and renumbering the current Section 41.22 to be Section 41.23, to read as follows:

23 **SEC. 41.22. REPORT OF RESIDENTIAL HOTEL STATUS PRIOR TO SALE OR**
24 **TRANSFER.**

1 (a) Report of Residential Hotel Status Form. The Department of Building Inspection shall
2 make available a Report of Residential Hotel Status Form. The form shall request information
3 regarding the status of the Residential Hotel's compliance with this Chapter 41 and provisions of the
4 Building or Housing Codes including:

5 (1) Residential Hotel Status:

6 (A) Total number of Residential Units and Tourist Units at the Residential
7 Hotel;

8 (B) Unit numbers and locations of the Residential and Tourist Units;

9 (C) Identification of currently occupied Residential Units and their current
10 rent rates;

11 (D) For vacant Residential Units, the last date when a Permanent Resident
12 occupied the units and the rent rate when last occupied; and

13 (E) Date of last Annual Unit Usage Report.

14 (2) Property Status:

15 (A) Date of last inspection by the Department of Building Inspection;

16 (B) Notices of Violations, Abatement Orders, or any other Department of
17 Building Inspection, Fire Department, or Department of Public Health enforcement actions within the
18 last five years; and

19 (C) Disabled access features installed on the property.

20 (3) Such other information, if any, regarding compliance with this Chapter 41 and
21 the Building or Housing Codes, as the Department of Building Inspection, in its discretion, decides to
22 request on the form.

23 (b) Process for Obtaining Report of Residential Hotel Status. An owner or authorized
24 agent seeking to sell or exchange a Residential Hotel shall complete and submit a Report of Residential
25 Hotel Status Form to the Department of Building Inspection. The Department of Building Inspection

1 shall evaluate the information in the form, verify information that corresponds with the Department's
2 records, and identify and annotate any information on the form that is inconsistent with the
3 Department's Records. The Department shall complete its review and issue the verified and annotated
4 form as the Report of Residential Hotel Status within 10 business days of receiving the completed form.
5 A Report of Residential Hotel Status shall be effective for a period of one year from the date of
6 issuance, and shall contain therein the dates of issuance and expiration.

7 (c) **Disclosure of Report of Residential Hotel Status to Buyer or Transferee.** Starting 10
8 business days following the effective date of this Section 4.22, in addition to any applicable
9 requirements in Chapter 3.5 of the Housing Code, prior to the sale or exchange of ownership for any
10 Residential Hotel, the owner thereof, or their authorized agent, shall deliver a Department of Building
11 Inspection-approved Report of Residential Hotel Status to the buyer or transferee of said Residential
12 Hotel.

13 (d) **Receipt of Report of Residential Hotel Status.** Within 30 days of purchasing or
14 otherwise receiving title to a Residential Hotel, the buyer or transferee shall file with the Department of
15 Building Inspection, a receipt of Report of Residential Hotel Status, on a form furnished by said
16 Department.


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18 **SEC. 41.232. CONSTRUCTION.**

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21 Section 3. Effective Date. This ordinance shall become effective 30 days after
22 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
23 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
24 of Supervisors overrides the Mayor's veto of the ordinance.

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

By: 
ROBB W. KAPLA
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: 170416

Date Passed: May 14, 2019

Ordinance amending the Administrative Code to require the completion of a report of residential hotel status, and disclosure of the report to the buyer or transferee, prior to the sale or transfer of a residential hotel; and affirming the Planning Department's determination under the California Environmental Quality Act.

June 26, 2017 Land Use and Transportation Committee - CONTINUED TO CALL OF THE CHAIR

April 29, 2019 Land Use and Transportation Committee - RECOMMENDED

May 07, 2019 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

May 14, 2019 Board of Supervisors - FINALLY PASSED

Ayes: 9 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Safai, Stefani and Yee
Excused: 2 - Ronen and Walton

File No. 170416

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 5/14/2019 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

Date Approved