

1 [Settlement of Lawsuit - San Francisco Apartment Association, et al. - \$130,440]

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3 **Ordinance authorizing settlement of the lawsuit filed by San Francisco Apartment**
4 **Association, Coalition For Better Housing, and San Francisco Association of Realtors**
5 **against the City and County of San Francisco for \$130,440; the lawsuit was filed on**
6 **January 28, 2014, in San Francisco Superior Court, Case No. CPF-14-513452; entitled**
7 **San Francisco Apartment Association, et al. v. City and County of San Francisco; the**
8 **lawsuit involves a claim for attorney’s fees and costs following Petitioners’ challenge**
9 **to Section 317(e)(4) of Ordinance No. 287-13 on the grounds it is preempted by the**
10 **state Ellis Act.**

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

13 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
14 authorizes the City Attorney to settle the claim for attorney’s fees costs in the action entitled
15 San Francisco Apartment Association, et al. v. City and County of San Francisco, San
16 Francisco Superior Court, Case No. CPF-14-513452 by the payment of \$130,440. The
17 lawsuit involves a claim for attorney’s fees and costs pursuant to Code of Civil Procedure
18 Section 1021.5, following Petitioners’ challenge to section 317(e)(4) of Ordinance No. 287-13
19 on the grounds it is preempted by the state Ellis Act (Govt. Code, §§ 7060, et seq.).

20 Section 2. The above-named action was filed in San Francisco Superior Court on
21 January 28, 2014, and the following parties were named in the lawsuit: Petitioners San
22 Francisco Apartment Association, Coalition For Better Housing, and San Francisco
23 Association of Realtors; Respondent City and County of San Francisco.

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APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney



KATE STACY
Deputy City Attorney

FUNDS AVAILABLE:


BEN ROSENFELD
Controller

RECOMMENDED:

SAN FRANCISCO PLANNING
DEPARTMENT


JOHN RAHAIM
Director of Planning

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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: 170729

Date Passed: July 25, 2017

Ordinance authorizing settlement of the lawsuit filed by San Francisco Apartment Association, Coalition For Better Housing, and San Francisco Association of Realtors against the City and County of San Francisco for \$130,440; the lawsuit was filed on January 28, 2014, in San Francisco Superior Court, Case No. CPF-14-513452; entitled San Francisco Apartment Association, et al. v. City and County of San Francisco; the lawsuit involves a claim for attorney's fees and costs following Petitioners' challenge to Section 317(e)(4) of Ordinance No. 287-13 on the grounds it is preempted by the state Ellis Act.

July 17, 2017 Government Audit and Oversight Committee - RECOMMENDED AS COMMITTEE REPORT

July 18, 2017 Board of Supervisors - PASSED ON FIRST READING


Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

July 25, 2017 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 170729

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 7/25/2017 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor

7/27/2017
Date Approved