Resolution reporting on Administrative Code, Chapter 47.4, housing preferences requirements to the Board of Supervisors for July 1, 2016, through June 30, 2019.

WHEREAS, On October 30, 2008, the City and County of San Francisco ("City") enacted Ordinance No. 232-08, which established a preference in occupying units or receiving assistance under all City affordable housing programs to Residential Certificate of Preference Holders (COP) under the Redevelopment Agency’s Property Owner and Occupant Preference Program; and

WHEREAS, On December 18, 2013, the City enacted Ordinance No. 227-13, which established a second preference in occupying units or receiving assistance under all City affordable housing programs to tenants displaced by an eviction under the Ellis Act; and

WHEREAS, On December 3, 2015, the City enacted Ordinance No. 204-15, which expanded the second preference to include tenants displaced through an Owner Move-In eviction as part of the Displaced Tenant Housing Preference ("DTHP"), and created a third housing preference for residents in the neighborhood where the affordable housing is located, Neighborhood Resident Housing Preference ("NRHP"); and

WHEREAS, On August 11, 2016, the City enacted Ordinance No. 164-16, which expanded DTHP to include tenants displaced by fire and created a fourth preference for people who live or work in San Francisco; and

WHEREAS, On June 28, 2019, the City enacted Ordinance No. 120-19, which expanded DTHP to include tenants where the tenant’s unit will no longer be restricted by a
regulatory agreement or other affordable housing restriction within five years and market-rate
rent in such tenant’s building is more than 40% of the tenant’s gross household income; and

WHEREAS, The City’s affordable housing programs include inclusionary housing
projects under the Planning Code and 100% affordable housing projects funded by the
Mayor’s Office of Housing and Community Development (“MOHCD”); and

WHEREAS, MOHCD does not apply DTHP or NRHP to projects to the extent
prohibited by State or Federal funding, and the Office of Community Investment and
Infrastructure (“OCII”) is not subject to Administrative Code, Chapter 47, and applies a
different set of preferences for occupying affordable housing projects that are approved by the
OCII Commission; and

WHEREAS, Administrative Code, Section 47.4, requires MOHCD to submit an annual
report and a proposed resolution accepting such annual report to the Board of Supervisors
beginning one year after the effective date of Ordinance No. 204-15, and MOHCD’s annual
report must include the following data: (1) the number of applicants applying under COP,
DTHP and Neighborhood Preference; (2) the Supervisorial District where the applicant is
currently residing; (3) the Supervisorial District where the affordable housing unit for which the
applicant is applying is located; (4) whether the applicant is selected from a lottery or other
means; (5) whether the applicant purchased or rented a unit; and (6) any other pertinent
information (collectively, “Preference Data”); and

WHEREAS, Administrative Code, Section 47.4, additionally requires MOHCD within
three years of the effective date of Ordinance No. 204-15 to submit a report on the
demographics and income levels of the beneficiaries of the Displaced Tenant and
Neighborhood preference system, along with a proposed resolution to formally accept the
report; and
WHEREAS, MOHCD has included the Preferences Data and any other pertinent information required by Chapter 47.4 in its Three Year Progress Report for 2016-2019 published on its website; and

WHEREAS, All Preference Data and any other pertinent information required by Chapter 47.4 is included as a supporting document to the file; and

WHEREAS, The Preferences Data is comprised of all new construction, re-rental and re-sale units that completed lease-up or sales between July 1, 2016, through June 30, 2019, which totals 2,427 units across 293 projects; and

WHEREAS, COP was applicable to 2,427 units, DTHP was applicable to 510 units, and NRHP was applicable to 279 units; and

WHEREAS, Of the 2,427 units that completed lease-up or sales, 127 households were selected through the COP, 194 households were selected through DTHP, and 266 households were selected through NRHP; and

WHEREAS, DTHP preference utilization in this time period was at 38% with 194 units occupied by preference holders out of the 510 units available for DTHP; and

WHEREAS, NRHP preference utilization in this time period was at 95% with 266 units occupied by preference holders out of the 279 units available for NRHP; and

WHEREAS, Applicants can qualify for NRHP for a project located in a District in which they are not currently residing if their household has a member that has an eligible address or they are located in the half-mile buffer surrounding the project allowed by NRHP; and

WHEREAS, Of the 194 households that were selected and occupied a unit through DTHP, 72 households (37%) were Hispanic/Latino, 60 households (31%) were Asian, 30 households (15%) were White, 11 households (6%) were Black/African-American, 3 households (2%) were American Indian/Alaskan Native, 5 households (3%) were Other/Multiracial and 13 households (7%) were Declined/Not Stated; and
WHEREAS, Of the 194 households that were selected and occupied a unit through DTHP, 48 households (25%) were 0-30% AMI, 91 households (47%) were 31-50% AMI, 34 households (18%) were 51-80% AMI, 21 households (11%) were 81-120% AMI; and

WHEREAS, Of the 266 households that were selected and occupied a unit through NRHP, 88 households (33%) were Asian, 54 households (20%) were Hispanic/Latino, 39 households (15%) were White, 30 households (11%) were Black/African-American, 20 households (8%) were Other/Multiracial, 2 households (1%) were Native Hawaiian/Other Pacific Islander, 1 household (0%) were American Indian/Alaskan Native, and 32 households (12%) were Declined/Not Stated; and

WHEREAS, Of the 266 households that were selected and occupied a unit through NRHP, 59 households (22%) were 0-30% AMI, 144 households (54%) were 31-50% AMI, 39 households (15%) were 51-80% AMI, and 24 households (9%) were 81-120% AMI; now therefore, be it

RESOLVED, That the Board of Supervisors accepts the data provided in this Resolution as part of MOHCD’s annual reporting on housing preferences required under Administrative Code, Section 47.4.
Resolution reporting on Administrative Code, Chapter 47.4, housing preferences requirements to the Board of Supervisors for July 1, 2016, through June 30, 2019.

July 19, 2021 Land Use and Transportation Committee - RECOMMENDED

July 27, 2021 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

I hereby certify that the foregoing Resolution was ADOPTED on 7/27/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

8/4/21
Date Approved