RENT BOARD
List of Rent Ordinance Amendments—6/15

SUBJECT: Following is a list of all amendments to the Rent Ordinance:

ORD. NO.	DATE SIGNED	RENT ORD. SECTIONS	AMENDMENTS
276-79	6/13/79*	Ch. 37	Original Law enacted.
295-79	6/22/79*	37.8, 37.9	Providing for filing procedures for tenants receiving rent increases between 6/13/79 and 7/31/79 and clarifying evictions.
442-79	8/31/79*	37.3	Regarding base rentals for purposes of computing increase (applying Prop. 13 savings).
136-80	4/10/80*	37.3	Providing that landlords and tenants be given adequate notice of rent increase guideline in effect on 4/15/80 in order to comply with notice and appeal procedures.
172-80	5/2/80*	37.23	Extending law to 11/4/80.
197-80	5/9/80	37.2(k)&(m)	Providing for 6-mo. owner residency for exemption; and tenant status for subtenancy.
339-80	7/3/80	37.11	Extending Citizens Housing Task Force to 12/31/80.
358-80	7/25/80	37.3, 37.7, 37.8, 37.9, 37.10	Modifying rent increase guidelines to once every 12 mos; allowing Board rules requiring capital improvement certification where independent appraisal found necessary; clarifying directory time limits; permitting rent offsets to implement Board decisions; permitting remands to hearing officers and Board hearings pursuant to appeals; adding advice clause, honest intent and permits eviction requirements; adding civil remedy; and increasing criminal fine to $2,000.
362-80	8/7/80	37.11	Adding 2 members in private housing industry to Citizens Housing Task Force.
468-80	9/30/80	37.12	Extending law to 12/1/81.
539-80	11/11/80	37.9	Applying Section 37.9 as of 8/24/80.
509-81	10/19/81	37.12	Extending law to 4/1/82.
4-82	1/8/82	37.9	Providing clarification with respect to evictions.

* Passed as emergency legislation and effective on the date signed by the Mayor. Other Ordinances listed are effective 30 days after date signed by the Mayor.

ORD. NO.	DATE SIGNED	RENT ORD. SECTIONS	AMENDMENTS
72-82	2/19/82	37.7	Providing for energy conservation passthrough (ref. Housing Code, Art 12 Section 1201).
77-82	3/2/82	37.2, 37.3, 37.8, 37.12	Defining base rent; establishing rent increase limits; revising hearing procedures; increasing filing fees; and repealing termination clause.
268-82	6/10/82	37.2, 37.3, 37.8, 37.9	Providing that RAP areas are subject to certain provisions of Section 37.7; and affording Rent Board jurisdiction to administer certain functions of the RAP program.
421-82	9/1/82	37.2	Extending application of the Rent Ordinance to certain units which are regulated by the federal government.
498-82	10/12/82	37.9	Providing increased protection for tenants against retaliation.
111-83	3/11/83	37.2, 37.8	Subjecting RAP units to vacancy decontrol consistent with the Rent Ordinance.
438-83	9/2/83	37.2, 37.3, 37.7, 37.8, 37.9	Transferring the certification of capital improvements, rehabilitation and energy conservation measures from the Real Estate Dept. to the Rent Board and authorizing the Rent Board to establish a filing fee, hire an estimator and conduct certification hearings; extending the time for mailing hearing officer findings; and modifying the definition of capital improvements.
20-84	1/19/84	37.2, 37.6,37.3, 37.10, 37.11, 37.13	Defining utilities and base rent; establishing new annual rent increase limitations; creating new civil remedies and criminal penalties. Repealing Section 37.3, 37.10, 37.11 & 37.13; adding Sections 37.3A, 37.10A & 37.11A; and renumbering Section 37.14 (severability) to 37.12.
425-84	10/18/84	37.9	Providing that a landlord who resides in the same rental unit with his or her tenant may evict said tenant without just cause.
193-86	5/30/86	37.2, 37.9	Adding Section 37.9A to provide additional protections for tenants displaced when units are withdrawn from rent or lease.
435-86	11/10/86	37.4, 37.8	Extending the Commissioners' appointment terms to 4 years; and increasing the filing fees.

ORD. NO.	DATE SIGNED	RENT ORD. SECTIONS	AMENDMENTS
7-87	1/15/87	37.6, 37.9	Providing for the compilation of certain eviction statistics; requiring the filing of certain eviction notices with the Rent Board; limiting the duration of evictions for capital improvements and rehabilitation and providing for payment of moving costs and advice regarding inspection of plans; requiring the District Attorney to investigate owner/relative occupancy evictions.
338-87	8/14/87	37.3(c), 37.3A	Prohibiting tenants who sublease their rental units from charging their subtenants a higher rent upon occupancy than that rent currently being paid by the tenants to their landlords; and renumbering Section 37.3A to 37.3.
278-89	8/2/89	37.7, 37.8	Eliminate filing fees.
30-91	1/22/91	37.9	Require at least 25% ownership before evicting a tenant for owner move-in.
102-91	3/21/91	37.3	To permit landlords to pass through to tenants 50% of the penalties for exceeding water allotments.
127-91	4/2/91	37.3, 37.8	Delete notification requirement of tenants about which rent increases are banked from prior years; establish mandatory time limits for filing of certain tenant petitions; establish time limits for appeals; establish time limits for judicial review, and to permit landlords or tenants to challenge rent payment, refund, offsetting or adding prior to their taking effect, and to correct clerical errors.
192-91	5/31/91	37.9	Clarify the definition of actual damages for wrongful recovery or attempted wrongful recovery of a rental unit to include damages for mental and emotional distress.
132-92	5/21/92	37.8	Provide that appeals to the Board must be filed on the next business day if the final day is a Saturday, Sunday or Legal holiday.
133-92	5/21/92	37.8A	Provide for a voluntary expedited hearing procedure for certain type of cases.
179-92	6/22/92	37.8	Provide that tenants may file petitions on the ground that a rent increase was null and void pursuant to 37.3 and that hearing officers may order the payment or refund of such increases to tenants.

ORD. NO.	DATE SIGNED	RENT ORD. SECTIONS	AMENDMENTS
221-92	7/14/92	37.8B, 37.2, 37.3, 37.9	Establish an expedited hearing for seismic work pursuant to Chapters 14 and 15 of the Building Code, establish applicability of the Rent Ordinance to these buildings, establish a l0% limitation on certain capital improvement passthroughs for seismic work and establish relocation expenses for demolition of buildings pursuant to Building Code Chapters 14 and 15.
961-92* (Prop. H)	12/8/92**	37.3	Remove the 4% minimum allowable increase.
162-93	5/28/93	37.4, 37.7, 37.8, 37.11A	Establish a limitation of 5 years on the filing of capital improvements, to limit rent overpayments to 3 years and change the title of the Executive Director.
233-93	7/22/93	37.2(p)(2)	Provide exemptions for dwelling units solely owned by a non-profit public benefit corporation.
363-93	11/18/93	37.8, 37.11A	Limit the amount of rent overpayments hearing officers may refund due to null and void rent increases; also limits amounts recovered in Civil Actions.
320-94	9/15/94	37.9A	Limit payments for relocation assistance to tenants in lower income households who are evicted pursuant to 37.9(a)(10), (Channing Amendment).
1004-94* (Prop. I)	12/22/94**	37.2, 37.12	Eliminate owner-occupied exemptions in 2-4 unit buildings.
446-94	12/30/94	37.2(p)	Limit exemptions for elderly housing to residential care facilities licensed pursuant to CA. Health and Safety Code Chapters 3.2 and 3.3.
88-95	4/7/95	37.12	Provide notice to owners and tenants in newly covered units as a result of the passage of Proposition I.
405-96	10/21/96	37.3, 37.9	Permit rent increases for lead remediation and create a 14th Just Cause Eviction for lead remediation work.
482-97	12/30/97	37.9	Limits certain owner move-in evictions as they apply to seniors, disabled and catastrophically ill.
179-98	5/29/98	37.2, 37.3 & 37.8	To permit 100% passthrough of increases in property taxes due to bond measures approved between November 1996 and November 1998.
239-98	7/17/98	37.9	Limits certain owner move-in evictions as they apply to seniors, disabled and catastrophically ill, with clarifying and technical changes.

* Resolution
** Effective date of Ballot Proposition

ORD. NO.	DATE SIGNED	RENT ORD. SECTIONS	AMENDMENTS
250-98	7/31/98	37.2, 37.3 & 37.9	Brings certain federally subsidized rental units under the Rent Ordinance for the purpose of defining base rent, limiting rent increases, and limiting evictions for just cause reasons.
293-98	10/2/98	37.9(a)(8), 37.9B 37.10A & 37.11A	Change ownership requirement to 50% in certain cases, require 36 months occupancy, prohibit certain evictions when comparable units are available, add new notice requirements, relocation costs and discrimination penalties.
Prop. G	Effective 12/18/98	37.9(a)(8), 37.9(i)	Changes ownership requirement to 25% in certain cases. Permits only one owner move in eviction per building, allows domestic partners to aggregate interests for eviction purposes, limits relative move-ins, makes permanent the moratorium on the eviction of seniors, disabled and catastrophically ill.
237-99	8/30/99	37.2(g), 37.9(a)(2)	Provides that the right to have a specific number of occupants is a housing service; prohibits evictions due to subletting when a written request to do so has been unreasonably withheld.
347-99	12/30/99	37.2, 37.3, 37.5, 37.6, 37.7, 37.8, 37.8A, 37.9 and 37.10	Retitling of Hearing Officers to Administrative Law Judges.
348-99	12/30/99	37.9(a)(13), 37.9A, 37.9(a)(11)	Conforms the Ordinance with the Ellis Act provisions and amendments. Extends notice periods; requires Rent Board recordation of notice of constraints and other administrative functions; expands time to sue to three years.
5-00	1/14/00	37.9A	Increases the amount of payments to low-income tenants subject to Ellis evictions to $4,500.00.
116-00	6/2/00	37.2, 37.3	Conforms the Ordinance to Costa-Hawkins Rental Housing Act (CA.Civil Code Sections 1954.50 Et Seq.) Note: This Ord. also amended the Rent Board Fee provisions, Admin. Code Chapter 37A, to require fee payment by those units exempt from rent increase limitations but still subject to eviction limitation provisions.

ORD. NO.	DATE SIGNED	RENT ORD. SECTIONS	AMENDMENTS
Prop. H	Effective 12/21/2000*	37.2, 37.3, 37.3(a)(6), 37.3(b)(2), 37.7, 37.8A, 37.8B	Limits capital improvement passthroughs to either (a) seismic work or (b) non-seismic work necessary to obtain a fair return; changes amortization period to 20 years, limits annual increase to 5% of tenant's rent, and requires one who did seismic work to file petition. Requires bond passthroughs to tenants to be disclosed and approved by the voters and limits rent increases for increased operating and maintenance expenses to 7%.
29-01	4/1/01	37.8C	Imposes a moratorium on the processing of capital improvement petitions (except for seismic work) until the stay on Proposition H was dissolved (August 10, 2001).
135-01	8/5/01	37.9(a)(1)(2)	Prohibits a non-payment of visitor fee from being used as a just cause eviction.
Prop. H**	12/21/00***	36.3(a)(6), 37.3(b)(2)	Requires bond passthroughs to tenants to be disclosed and approved by the voters and limits rent increases for increased operating and maintenance expenses to 7%.
186-01	9/27/01	37.9(a)(1)	Imposes a six-month moratorium until Feb.10, 2002 for non-payment of capital improvement passthroughs approved by the Rent Board after April 10, 2000 when the petition was filed before August 10, 2001.
23-02	2/22/02	37.9	Extend until Feb. 10, 2002 the moratorium for non-payment of capital improvement passthroughs approved after April 10, 2000 when the petition was filed before Aug. 10, 2001.
57-02	5/03/02	37.9, 37.9B, 37.10A	Requires the Rent Board to record owner move in eviction notices with Recorder, eviction notices to be in writing, impose use restrictions regardless of any agreement, no waiver of rights unless tenant is represented by independent counsel in a court supervised settlement, bars clauses prohibiting a tenant from cooperating with a governmental investigation, requires sellers to provide written notice to buyers of legal grounds for termination of tenancy of any unit delivered vacant and conforms misdemeanor provisions to state law.

* Prop. H was stayed by the Court in Quigg v CCSF, et al., on 12/20/00.

** All other provisions of Prop. H were found unconstitutional and permanently enjoined by the court in Quigg v. CCSF, (Superior Court Case No. 3169281 on Aug. 10, 2001).

*** Effective date of Proposition H and the provisions left intact by the Court as of the 8/10/01 decision.

ORD. NO.	DATE SIGNED	RENT ORD. SECTIONS	AMENDMENTS
62-02	5/03/02	37.6, 37.13, 37.14	Authorizes the Rent Board to promulgate rules and adjudicate disputes arising from the Residential Hotel Visitor Policy (Chapter 41D, Admin. Code).
107-02	7/5/02	37.6	Authorizes the Rent Board to annually calculate the interest rate to be paid on deposits. Chapter 49 of the Administrative Code now uses the Federal Reserve Discount Rate as the basis for calculation.
02-03	1/19/03	37.2, 37.37.3, 37.7, 37.8B	Authorizes settlement in Quigg v CCSF, et al. It includes a 50% pass through of bond costs; 50% pass through of capital improvement costs; 100% for buildings of 5 units or less and certain energy improvements; creates new 15 and 20 year amortization periods for certain improvements; requiring Estimator reports for petitions totaling more than $25,000; and makes the provisions retroactive to Nov. 14, 2002.
Bullard v. Rent Board (2003) 106 Cal App. 4th 488		37.9	Deletes requirement in owner move-in evictions to offer a non- comparable available unit to the tenant at a rent controlled rate.
91-03	5/16/03	37.9A	Conforms the Rent Ord. to state law Ellis Act amendments to impose vacancy control constraints for 5 years after withdrawal from the rental market, and to require one-half of relocation payments to be made with the notice to quit.
107-03	5/23/03	37.2, 37.3, 37.8	Implement provisions of Prop. A (Nov.2002) for pass-through of 50% of water bill increases attributable to water rate increases as a result of PUC water bond issuances.
222-03	9/05/03	37.4	Create floating alternate Tenant and Landlord Commissioners
5-04	1/16/04	37.8	Limits Operating and Maintenance passthroughs to 7% in any five- year period for the same landlord.
Baba v. CCSF (2004) 124 Cal. App 4th 504		37.9, 37.10A	Deletes 37.10A(c) re criminal liability for certain conduct re evictions and 37.10(g) re procedures for waiver of tenant rights.

ORD. NO.	DATE SIGNED	RENT ORD. SECTIONS	AMENDMENTS
34-04	3/19/04	37.13	Requires landlord to provided a minimum of one key-set per adult occupant without charge, and extra key(s) upon written request; unreasonable denial of extra key(s) constitutes a decrease in housing services. Adding Section 37.13 and renumbering Section 37.13 (Hearings and Remedies for violation of Hotel Visitor Policies) to 37.14 and Section 37.14 (Severability) to 37.15.
99-04	6/4/04	37.3, 37.9	Requires that in temporary evictions for lead remediation work, the tenant will vacate the unit only for the minimum time required to do the work.
282-04	12/03/04	37.9	Allows specified family members and/or domestic partners of a tenant to occupy the rental unit notwithstanding a lease provision limiting the number of occupants, if the landlord has unreasonably denied the tenant's request to add such occupant.
21-05	1/21/05	37.9, 37.9A	Prohibits withdrawal of residential hotels under the Ellis Act and provides for relocation payments of $4,500.00 per tenant up to a maximum of $13,500.00 per unit, with an additional $3,000.00 for elderly or disabled tenants in Ellis evictions, with the amounts to be indexed annually.
66-05	4/15/05	37.13	Requires landlord to provide extra key(s) for good reason within 14 days of tenant's written request, and to charge only the documented replication costs; unreasonable denial constitutes a substantial decrease in housing services.
73-06	4/20/06	37.14	Authorizes the Rent Board to adjudicate disputes concerning the provision of individual mailboxes to tenants in residential hotels (Chapter 41E, Administrative Code).
Prop. B	Approved 6/6/06	37.10A	Requires owners of properties with two or more residential units in San Francisco to disclose certain eviction information to prospective purchasers.
178-06	8/8/06	37.2(r)	Requires landlord to have just cause to remove certain housing services like parking and storage from a tenancy.

ORD. NO.	DATE SIGNED	RENT ORD. SECTIONS	AMENDMENTS
Johnson v. CCSF 137 Cal App.4th 7	(2006)	37.9A	Deletes requirement that landlord's notice for an Ellis Act eviction must state the amount of relocation payment the owner believes is due to the tenant.
251-06	10/11/06	37.6	Directs the Rent Board to compile available data on evictions involving school-age children.
252-06	10/11/06	37.2, 37.3	Authorizes a 50% passthrough of bond costs resulting from general obligation bonds issued by SFUSD or SF Community College District.
281-06	12/20/06	37.2	Amends definition of "rental unit" covered by the Ordinance to include units subject only to the low -income housing tax credit (LIHTC) program.
Prop. H	Effective 12/22/06	37.9, 37.9B, 37.9C	Provides for relocation payments of $4,500.00 per authorized occupant up to a maximum of $13,500.00 per unit, with an additional $3,000.00 for elderly or disabled tenants, or households with a minor child, in evictions for owner move-in, demolitions, temporary capital improvements, or substantial rehabilitation, with the amounts to be indexed annually.
92-07	4/27/07	37.2, 37.9	Makes certain units subject to the Ordinance as provided in an owner's development agreement with the City.
33-08	3/17/08	37.9	Requires sellers and purchasers of rental property to give tenants written disclosure of certain tenant rights upon sale of the property.
Proposition M	Effective 12/19/08	37.2, 37.10B	Adds "quiet enjoyment, without harassment by the landlord" as a housing service included in a tenant's base rent. Prohibits a landlord and his/her agent or employee from doing specified acts, such as abusing right of entry to unit, threatening or coercing tenant to move, or interfering with tenant's right of privacy, "in bad faith or with ulterior motive or without honest intent." Remedies for violation include filing a Rent Board petition for rent reduction, a civil action for actual and punitive damages or injunctive relief, or criminal prosecution as a misdemeanor offense.

ORD. NO.	DATE SIGNED	RENT ORD. SECTIONS	AMENDMENTS
28-09	2/20/09	37.2, 37.9	Adds a series of definitions re "Victims of Domestic Violence, Sexual Assault, or Stalking." Provides confidentiality protections and defense to nuisance evictions under Section 37.9(a)(3) for tenants who are victims of domestic violence, sexual assault or stalking.
33-10	2/11/10	37.9	Limits certain owner move-in evictions during the school year as they apply to tenants residing in the unit with a child under 18 years of age.
60-10	3/25/10	37.2, 37.9D	Provides "just cause" eviction protections to tenants in units that are otherwise exempt from the Rent Ordinance while the person or entity who took title through foreclosure is the owner.
Larson v. CCSF (2011) 192 Cal. App. 4th 1263		37.10B	Deletes attorney's fee provision in 37.10B(c)(6) in eviction cases. Deletes 37.10B(a)(7). Limits Rent Board remedies under 37.10B(c)(1) to violations of 37.10B(a)(1)-(3).
72-11	4/27/11	37.2, 37.9	Permits a landlord and displaced tenant to agree to temporary Good Samaritan occupancy with reduced rent rate following a certified emergency such as fire, earthquake, landslide, etc., with possibility of eviction or rent increase after expiration of the temporary Good Samaritan Status period.
227-12	11/7/12	37.6(n)	Authorizes the Rent Board to review relocation claims from Current Households related to a Public Housing Development Project, and make advisory recommendations to the San Francisco Housing Authority.
California Civil Code Section 1947.9	Effective 1/1/13	37.9(a)(11), 37.9(a)(14), 37.9C	Annotates 37.9(a)(11), 37.9(a)(14) and 37.9C to reference California Civil Code Section 1947.9, which limits the amount of relocation payments a landlord is required to pay tenants for temporary displacements for less than 20 days.
203-13	10/3/13	37.7(h), 37.7(i), 37.7(j)	Provides standards and procedures for filing, reviewing and deciding Tenant Capital Improvement Passthrough Hardship Applications for relief from payment of a capital improvement passthrough.
277-13	12/18/13	37.6(o)	Authorizes the Rent Board to adjudicate disputes concerning determination by Mayor's Office of Housing and Community Development that someone does not qualify as a "Displaced Tenant" as defined in Administrative Code Section 24.8.

ORD. NO.	DATE SIGNED	RENT ORD. SECTIONS	AMENDMENTS
1-14	1/14/14	37.9(l)	Provides that the Rent Board may conduct investigative hearings based on a tenant's allegation of wrongful endeavor to recover possession of the tenant's unit through harassment by the landlord.
43-14	4/17/14	37.7(a)	Prohibits the costs of legalization of existing dwelling units under Planning Code Section 207.3 from being passed through to tenants as a capital improvement.
49-14	4/17/14	37.2(r)(4)(D)	Provides that a new In-Law Unit constructed in the "Castro District" with a waiver of code requirements under Planning Code Section 715.1 shall be subject to the Rent Ordinance if the existing building, or any existing dwelling unit within the building, is already subject to the Rent Ordinance.
44-14	4/18/14	37.9(m)	Requires the Rent Board to annually adjust on March 1 the daily compensation rate specified in California Civil Code Section 1947.9 for temporary dislocation of a tenant household for less than 20 days.
54-14	5/02/14 Enjoined 10/21/14	37.9A(e)(3)	Provides that each tenant displaced under the Ellis Act is entitled to the greater of (1) the existing rent relocation payment or (2) the difference between the tenant's current rent and the market rental rate for a comparable unit as determined by the Controller's Office, multiplied to cover a 2-year period. Allows a landlord to request a hearing to obtain a revised relocation payment obligation based on (1) undue financial hardship or (2) the market rental rate for a comparable unit. [NOTE: The U.S. District Court enjoined the City from enforcing this amendment on 10/21/14. The City is appealing the court's ruling.]
173-14	7/31/14	37.2(r)	Allows a landlord to temporarily sever specified housing services from the tenancy, including parking and storage, without a "just cause" reason in order to perform mandatory seismic retrofit work required by Building Code Chapter 34B. Tenants will not be entitled to a reduction in rent, but will be entitled to either compensation or a substitute housing service as provided in Administrative Code Chapter 65A.
218-14	operative 2/1/15	37.9(a)(4)	Prohibits a landlord from evicting a tenant for illegal use of the unit based solely on a first-time violation of Planning Code Chapter 41A regulating short-term residential rentals if the violation has been cured within 30 days of written notice to the tenant.

ORD. NO.	DATE SIGNED	RENT ORD. SECTIONS	AMENDMENTS
225-14	operative 3/7/15	37.9E	Requires a landlord to provide the tenant with a Rent Board-approved disclosure form before commencing buyout negotiations, to file with the Rent Board an approved declaration form regarding service of the disclosure form on the tenant, and to file a copy of any buyout agreement with the Rent Board. Imposes other requirements and conditions on buyout agreements and also requires the Rent Board to create a publically available, searchable database of buyout agreements.
68-15	6/14/15	37.9A(e)(3)	Provides that each tenant displaced under the Ellis Act is entitled to the greater of (1) the existing rent relocation payment or (2) the difference between the tenant's current rent and the market rental rate as determined by the Controller's Office based on data from RealFacts or other analysis of the SF rental market for the prior calendar year, multiplied to cover a two-year period, provided that the tenant submits a sworn declaration to the landlord that the tenant will use the relocation payment solely for relocation costs. Requires a displaced tenant to maintain proof of relocation expenditures for three years and provide such proof to the landlord upon written request. Allows a landlord to request a hearing to obtain a revised relocation payment obligation based on (1) undue financial hardship or (2) the market rental rate for a comparable unit. [NOTE: It is the City's position that this amendment is covered by the previous injunction issued by the Court in Levin v. City & County of San Francisco (United States District Court Case No. 3:14-ev-03352-CRB), and therefore the City is not enforcing the amended ordinance until permitted to do so by the Court. The City has appealed the District Court's order to the Ninth Circuit Court of Appeals.]