

1 [Planning, Administrative Codes - Residential Occupancy]

2

3 **Ordinance amending the Planning Code to create the Intermediate Length Occupancy**  
4 **residential use characteristic; amending the Administrative Code to clarify existing law**  
5 **regarding the enforceability of fixed-term leases in rental units covered by the just**  
6 **cause protections of the Residential Rent Stabilization and Arbitration Ordinance (the**  
7 **“Rent Ordinance”), prohibit the use of rental units for temporary occupancies by non-**  
8 **tenants, require landlords to disclose in advertisements for such units that the units**  
9 **are subject to the Rent Ordinance, and authorize enforcement through administrative**  
10 **and/or civil penalties; requiring the Controller to conduct a study to analyze the**  
11 **impacts of new Intermediate Length Occupancy units in the City; affirming the**  
12 **Planning Department’s determination under the California Environmental Quality Act;**  
13 **and making findings of consistency with the General Plan, and the eight priority**  
14 **policies of Planning Code, Section 101.1, and findings of public necessity,**  
15 **convenience, and welfare under Planning Code, Section 302.**

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

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

22

23 Section 1. CEQA, General Plan, and Planning Code Findings.

24 (a) The Planning Department has determined that the actions contemplated in this  
25 ordinance comply with the California Environmental Quality Act (California Public Resources

1 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
2 Supervisors in File No. 191075 and is incorporated herein by reference. The Board affirms  
3 this determination.

4 (b) On January 30, 2020, the Planning Commission, in Resolution No. 20633,  
5 adopted findings that the actions contemplated in this ordinance are consistent, on balance,  
6 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The  
7 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
8 the Board of Supervisors in File No. 191075, and is incorporated herein by reference.

9 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this  
10 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in  
11 Planning Commission Resolution No. 20633, and incorporates such reasons by this reference  
12 thereto. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File  
13 No. 191075, and is incorporated herein by reference.

14  
15 Section 2. The Planning Code is hereby amended by revising Section 102 (including  
16 placing a new defined term in alphabetical sequence), adding Section 202.10, and revising  
17 Sections 209.1, 209.2, 209.3, 209.4, 210.1, 210.2, 210.3, 210.4, and 710, to read as follows:

18 **SEC. 102. DEFINITIONS.**

19 \* \* \* \*

20 *Intermediate Length Occupancy. A Residential Use characteristic that applies to a Dwelling*  
21 *Unit offered for occupancy by a natural person for an initial stay, whether through lease, subscription,*  
22 *license, or otherwise, for a duration of greater than 30 consecutive days but less than one year. This*  
23 *use characteristic is subject to the requirements of Section 202.10.*

24 \* \* \* \*

1           **Residential Use.** A Use Category consisting of uses that provide housing for San  
2 Francisco residents, rather than visitors, including Dwelling Units, Group Housing, Residential  
3 Hotels, and Senior Housing, Homeless Shelters, and for the purposes of Article 4 only any  
4 residential components of Institutional Uses. Single Room Occupancy, Intermediate Length  
5 Occupancy, and Student Housing designations are considered characteristics of certain  
6 Residential Uses.

7           \* \* \* \*

8           **Use Characteristic.** A feature of a Use, related to its physical layout, location, design,  
9 access, or other characteristics. Use Characteristics may be regulated independently of a  
10 Use itself. Residential Use Characteristics include Single Room Occupancy, Intermediate  
11 Length Occupancy, and Student Housing. Commercial Use Characteristics include Drive-up  
12 Facility, Formula Retail, Hours of Operation, Maritime Use, Open Air Sales, Outdoor Activity,  
13 and Walk-Up Facility.

14           \* \* \* \*

15           **SEC. 202.10. LIMITATION ON INTERMEDIATE LENGTH OCCUPANCIES.**

16           (a) Purpose. To encourage the use of Dwelling Units for long-term occupancy by  
17 permanent San Francisco residents with initial terms of occupancy of at least one year, the following  
18 provisions shall apply to Intermediate Length Occupancy units.

19           (b) Controls.

20           (1) Permitting. Intermediate Length Occupancy units shall be permitted as follows:

21                   (A) Any application to establish an Intermediate Length Occupancy  
22 Use Characteristic shall:

23                           (i) Specifically identify the unit proposed to be permitted as an  
24 Intermediate Length Occupancy unit; and

1 (ii) Include a proof to the Department's satisfaction that the  
2 proposed Intermediate Length Occupancy unit is located within a building that has no  
3 outstanding Notice of Violations.

4 (B) Additional requirements for specific buildings sizes:

5 (i) Intermediate Length Occupancy units are prohibited in  
6 buildings with three or fewer Dwelling Units.

7 (ii) For buildings with four to nine or fewer Dwelling Units, requests  
8 to authorize the establishment of an Intermediate Length Occupancy Use Characteristic shall be  
9 principally permitted, provided that: (i) — N no more than 25% of the Dwelling Units in the building  
10 may be permitted as Intermediate Length Occupancy units.

11 (ii) — Each unit proposed to be permitted as an Intermediate  
12 Length Occupancy unit is specifically identified.

13 (iii) For buildings with 10 or more Dwelling Units, Intermediate  
14 Length Occupancy units shall be prohibited, unless authorized pursuant to a conditional use  
15 authorization under Section 303, provided that the Planning Commission shall find, in addition  
16 to compliance with the criteria of Section 303, that the following criteria are met:

17 a.(i) — No more than 20% of the Dwelling Units in the building  
18 may be permitted as Intermediate Length Occupancy units.

19 (ii) — Each unit proposed to be permitted as an Intermediate  
20 Length Occupancy unit is specifically identified.

21 b. That not less than two thirds of the total allowable  
22 Intermediate Length Occupancy units be in the downtown core, with the policy goal of keeping  
23 such uses near corresponding hotel and tourism districts, and job centers.

1 c. That not more than one third of the total allowable  
2 Intermediate Length Occupancy units be permitted in Census Tracts in sensitive communities,  
3 as defined by the UC Berkeley Urban Displacement Project Sensitive Communities map.

4 (2) **Maximum Amount.** No more than 1,000 Intermediate Length Occupancy units  
5 shall be permitted in the City.

6 (3) **Exceptions.** The requirements of this Section 202.10 shall not apply to:

7 (A) Any Dwelling Unit that is defined as Student Housing in Section 102; ~~or~~

8 (B) A Residential Hotel unit subject to the provisions of Administrative Code  
9 Chapter 41; or

10 (C) An organization with tax-exempt status under 26 United States  
11 Code Sections 501(c)(3) providing access to the unit in furtherance of its primary mission to  
12 provide housing, provided that any organization that provides a Dwelling Unit offered for  
13 occupancy by a natural person for an initial stay, whether through lease, subscription, license,  
14 or otherwise, for a duration of greater than 30 consecutive days but less than one year must  
15 comply with the reporting requirements in subsection (d).

16 (4) **Ineligible units.** The following shall not be eligible to be permitted as  
17 Intermediate Length Occupancy units:

18 (A) Dwelling Units that are subject to the City's Inclusionary Affordable  
19 Housing Program set forth in Sections 415.1. et seq., or otherwise designated as below market rate or  
20 income-restricted under City, state, or federal law; ~~and~~

21 (B) Dwelling Units that are subject to the rent increase limitations in  
22 Administrative Code Section 37.3 shall not be eligible to be Intermediate Length Occupancy units; and

23 (C) Dwelling Units in a project that has not had its building or site  
24 permit issued as of the effective date of this ordinance in Board File No. 191075. Unless  
25 reenacted, this subsection (C) shall expire by operation of law 24 months after the Effective

1 Date of this ordinance in Board File No. 191075. Upon the expiration of this note, the City  
2 Attorney is authorized to take steps to remove this note from the Planning Code.

3 (c) **Compliance.**

4 (1) **Abandonment.** Any Dwelling Unit permitted as an Intermediate Length  
5 Occupancy unit pursuant to this subsection (b) may be offered for an initial term of occupancy of one  
6 year or greater without losing the Use Characteristic, provided that the Use Characteristic shall be  
7 considered abandoned if discontinued or otherwise abandoned for the time periods specified in Article  
8 1.7.

9 (2) **Compliance Schedule.** Within six months of the Effective Date of this ordinance  
10 in Board File No. 191075, the Department shall develop and publish procedures for evaluating  
11 requests to establish Intermediate Length Occupancy units. The owner or operator of each  
12 Intermediate Length Occupancy unit must submit a complete application within 24 months of the  
13 Effective Date of this ordinance in Board File No. 191075.

14 (d) **Annual Reports.** No later than March 1 of each year, the owner or operator of each  
15 Intermediate Length Occupancy unit shall submit to the Department an Annual Unit Usage Report for  
16 the prior calendar year containing the following information:

17 (1) The address and location of the Intermediate Length Occupancy unit.

18 (2) The number of times the unit was occupied by a natural person for an initial  
19 stay, whether through lease, subscription, license, or otherwise, for a duration of greater than 30  
20 consecutive days but less than one year, including the duration and dates of each of those stays.

21 (3) The average duration of each stay.

22 (4) The average vacancy between each stay.

23 (5) The nature of the services, if any, that are provided to occupants of the  
24 Intermediate Length Occupancy units, including furnishings, or other amenities, and whether there has  
25 been an increase or decrease in the services since the last report.

**SEC. 209.1. RH (RESIDENTIAL, HOUSE) DISTRICTS.**

\* \* \* \*

**Table 209.1**

**ZONING CONTROL TABLE FOR RH DISTRICTS**

Zoning Category	§ References	RH-1(D)	RH-1	RH-1(S)	RH-2	RH-3
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\* \* \* \*

**RESIDENTIAL STANDARDS AND USES**

\* \* \* \*

Use Characteristics

<i>Intermediate Length Occupancy</i>	<u>§§ 102, 202.10</u>	<u>P(9)</u>	<u>P(9)</u>	<u>P(9)</u>	<u>P(9)</u>	<u>P(9)</u>
Single Room Occupancy	§ 102	P	P	P	P	P

\* \* \* \*

(9) C for buildings with 10 or more Dwelling Units.

**SEC. 209.2. RM (RESIDENTIAL, MIXED) DISTRICTS.**

\* \* \* \*

**Table 209.2**

**ZONING CONTROL TABLE FOR RM DISTRICTS**

Zoning Category	§ References	RM-1	RM-2	RM-3	RM-4
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\* \* \* \*

**RESIDENTIAL STANDARDS AND USES**

* * * *					
Use Characteristics					
<i>Intermediate Length Occupancy</i>	<u>§§ 102, 202.10</u>	<u>P(10)</u>	<u>P(10)</u>	<u>P(10)</u>	<u>P(10)</u>
Single Room Occupancy	§ 102	P	P	P	P

\* \* \* \*

(10) C for buildings with 10 or more Dwelling Units.

**SEC. 209.3. RC (RESIDENTIAL-COMMERCIAL) DISTRICTS.**

\* \* \* \*

**Table 209.3**

**ZONING CONTROL TABLE FOR RESIDENTIAL-COMMERCIAL DISTRICTS**

Zoning Category	§ References	RC-3	RC-4
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\* \* \* \*

<b>RESIDENTIAL STANDARDS AND USES</b>			
* * * *			
Use Characteristics			
<i>Intermediate Length Occupancy</i>	<u>§§ 102, 202.10</u>	<u>P(11)</u>	<u>P(11)</u>
Single Room Occupancy	§ 102	P	P

\* \* \* \*

(11) C for buildings with 10 or more Dwelling Units.



**SEC. 209.4. RTO (RESIDENTIAL TRANSIT ORIENTED) DISTRICTS.**

\* \* \* \*

**Table 209.4**

**ZONING CONTROL TABLE FOR RTO DISTRICTS**

Zoning Category	§ References	RTO	RTO-M
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\* \* \* \*

<b>RESIDENTIAL STANDARDS AND USES</b>			
* * * *			
Use Characteristics			
<i>Intermediate Length</i>	<u>§§ 102, 202.10</u>	<i>P(10)</i>	<i>P(10)</i>
<i>Occupancy</i>			
Single Room	§ 102	P	P
Occupancy			

\* \* \* \*

(10) C for buildings with 10 or more Dwelling Units.

**SEC. 210.1. C-2 DISTRICTS: COMMUNITY BUSINESS.**

\* \* \* \*

**Table 210.1**

**ZONING CONTROL TABLE FOR C-2 DISTRICTS**

Zoning Category	§ References	C-2
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\* \* \* \*

<b>RESIDENTIAL STANDARDS AND USES</b>		
* * * *		

Use Characteristics		
<i>Intermediate Length Occupancy</i>	<u>§§ 102, 202.10</u>	<u>P(6)</u>
Single Room Occupancy	§ 102	P

\* \* \* \*

(6) C for buildings with 10 or more Dwelling Units.

**SEC. 210.2. C-3 DISTRICTS: DOWNTOWN COMMERCIAL.**

\* \* \* \*

**Table 210.2**

**ZONING CONTROL TABLE FOR C-3 DISTRICTS**

Zoning Category	§ References	C-3-O	C-3-O(SD)	C-3-R	C-3-G	C-3-S
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\* \* \* \*

<b>RESIDENTIAL STANDARDS AND USES</b>						
* * * *						
Use Characteristics						
<i>Intermediate Length Occupancy</i>	<u>§§ 102, 202.10</u>	<u>P(8)</u>	<u>P(8)</u>	<u>P(8)</u>	<u>P(8)</u>	<u>P(8)</u>
Single Room Occupancy	§ 102	P	P	P	P	P

\* \* \* \*

(8) C for buildings with 10 or more Dwelling Units.

**SEC. 210.3. PDR DISTRICTS.**

\* \* \* \*

**Table 210.3**

**ZONING CONTROL TABLE FOR PDR DISTRICTS**

Zoning Category	§ References	PDR-1-B	PDR-1-D	PDR-1-G	PDR-2
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\* \* \* \*

**RESIDENTIAL STANDARDS AND USES**

\* \* \* \*

Use Characteristics

<i>Intermediate Length Occupancy</i>	<u>§§ 102, 202.10</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
Single Room Occupancy	§ 102	NP	NP	NP	NP

\* \* \* \*

**SEC. 210.4. M DISTRICTS: INDUSTRIAL.**

\* \* \* \*

**Table 210.4**

**ZONING CONTROL TABLE FOR M DISTRICTS**

Zoning Category	§ References	M-1	M-2
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\* \* \* \*

**RESIDENTIAL STANDARDS AND USES**

* * * *			
Use Characteristics			
<i>Intermediate Length</i>	<u>§§ 102, 202.10</u>	<u>P(4)</u>	<u>P(4)</u>
<i>Occupancy</i>			
Single Room	§ 102	P	P
Occupancy			

\* \* \* \*

(4) C for buildings with 10 or more Dwelling Units.

**SEC. 710. NC-1 – NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT.**

\* \* \* \*

**Table 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	NC-1 Controls
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\* \* \* \*

<b>RESIDENTIAL STANDARDS AND USES</b>		
* * * *		
Use Characteristics		
<i>Intermediate Length</i>	<u>§§ 102; 202.10</u>	<u>P(10)</u>
<i>Occupancy</i>		
Single Room Occupancy	§ 102	P

\* \* \* \*

(10) C for buildings with 10 or more Dwelling Units.

Section 3. Amendment of Specific Zoning Control Tables.

1           Zoning Control Tables 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722,  
 2 723, 724, 725, 726, 728, 729, 730, 731, 732, 733, 734, 750, 751, 752, 753, 754, 755, 756,  
 3 757, 758, 759, 760, 761, 762, 763, and 764 are hereby amended identically to the  
 4 amendment of Zoning Control Table 710 in Section 2 of this ordinance, to create  
 5 “Intermediate Length Occupancy” as a new Residential Use Characteristic, citing Planning  
 6 Code Sections 102 and 202.10 as references, identifying “P” as the zoning control, and  
 7 including the note (“C for buildings with 10 or more Dwelling Units”), provided that the note  
 8 shall be numbered as appropriate for each table, as follows.

Zoning Control Table	Note #
711	12
712	11
713	8
714	8
715	6
716	7
717	6
718	7
719	9
720	5
721	5
722	13
723	8
724	6
725	5

1	726	7
2	728	7
3	729	5
4	730	5
5	731	6
6	732	6
7	733	6
8	734	6
9	750	9
10	751	7
11	752	7
12	753	5
13	754	8
14	755	6
15	756	6
16	757	10
17	758	9
18	759	8
19	760	4
20	761	6
21	762	7
22	763	6
23	764	9
24		
25		

1 Section 4. The Administrative Code is hereby amended by adding Section 37.9F, to  
2 read as follows:

3 **SEC. 37.9F. CIRCUMVENTION OF TENANT PROTECTIONS.**

4 (a) **Findings.** *As market rents continue to increase in San Francisco, landlords of rent-*  
5 *controlled units have a greater incentive to prevent long-term tenancies. Complementing the just cause*  
6 *protections in Section 37.9, this Section 37.9F addresses the growing efforts among some landlords to*  
7 *induce their tenants into believing that they are required to vacate their units at a specific time*  
8 *designated in the lease or agreement, despite existing law to the contrary, or to try to avoid certain*  
9 *landlord-tenant obligations altogether. This trend is especially common with respect to corporate*  
10 *rentals, though it is not limited to corporate rentals. Such tactics by landlords undermine rent control*  
11 *and frustrate the purpose of ensuring that rent-controlled units in the City remain available as a long-*  
12 *term housing option for the City's renters.*

13 (b) **Prohibition of Fixed-Term Agreements.** *Consistent with Section 37.9(a)(2) and Section*  
14 *37.9(e), any provision of any lease or rental agreement that purports to require a tenant to vacate a*  
15 *rental unit at the expiration of a stated term, or that purports to characterize a tenant's failure to*  
16 *vacate the rental unit at the end of the stated term as a just cause for eviction (either of them, a "Fixed-*  
17 *Term Agreement"), shall be void as contrary to public policy, and a landlord may not attempt to*  
18 *recover possession of the unit without just cause. This prohibition shall not apply where this Chapter*  
19 *37 expressly authorizes a fixed-term tenancy (e.g., Section 37.2(a)(D)), or where it expressly authorizes*  
20 *a tenant to be evicted without just cause (e.g., Section 37.9(b)).*

21 (c) **Restrictions on Non-Tenant Uses.**

22 (1) *A rental unit is being used for a "Non-Tenant Use" when the landlord is*  
23 *allowing the unit to be occupied by a person or entity who is not a "tenant" as defined in Section*  
24 *37.2(t). Renting a unit to a corporate entity or other non-natural person, or using a unit as housing for*  
25 *one's employees, licensees, or independent contractors rather than one's tenants, are nonexclusive*

1 examples of Non-Tenant Uses. This subsection (c) is not intended to narrow the definition of “tenant”  
2 under Section 37.2(t) or to limit the just cause protections in Section 37.9; the sole intent is to prevent  
3 landlords from circumventing or undermining the tenant protections of this Chapter 37, by restricting  
4 when a landlord may provide a rental unit to a person or entity to the extent that person or entity does  
5 not otherwise qualify as a “tenant.”

6 (2) Commencing April 1, 2020, it shall be unlawful to use a rental unit or allow a  
7 rental unit to be used for a Non-Tenant Use, subject to the exemptions listed in subsection (c)(3). Any  
8 provision of any agreement entered into on or after April 1, 2020 that purports to allow a unit to be  
9 used for an unauthorized Non-Tenant Use shall be void as contrary to public policy, and the occupants  
10 shall instead be deemed tenants under Section 37.2(t).

11 (3) This subsection (c) does not apply to any of the following:

12 (A) where the rental unit is subject to an agreement authorizing a Non-Tenant  
13 Use that was entered into before April 1, 2020, for the existing duration of that agreement.

14 (B) the use of a rental unit as a lawful short-term rental as set forth in  
15 Administrative Code Chapter 41A.

16 (C) where the landlord is providing the rental unit to its employees as a  
17 condition of their employment to assist in the maintenance or management of a building owned or  
18 managed by the landlord (e.g., resident managers).

19 (D) where an organization with tax-exempt status under 26 United States Code  
20 Sections 501(c)(3) or 501(e)(4) is providing access to the unit in furtherance of its primary mission to  
21 provide housing, or in furtherance of its primary mission of education by providing housing to  
22 teachers.

23 (d) **Required Disclosures.** Commencing April 1, 2020, every online listing for a rental unit,  
24 excluding listings by landlords or master tenants who will reside in the same rental unit as their tenants  
25 or subtenants, must contain a legible disclosure in at least 12-point font that includes the following



1 text: “This unit is a rental unit subject to the San Francisco Rent Ordinance, which limits evictions  
2 without just cause, and which states that any waiver by a tenant of their rights under the Rent  
3 Ordinance is void as contrary to public policy.” The foregoing text should also be included in print  
4 advertisements, if practicable.

5 (e) **Monitoring and Enforcement.**

6 (1) The Board shall receive referrals regarding online listings that do not comply  
7 with subsection (d). Upon receipt of a referral, if the Board determines that the listing does not  
8 substantially comply with subsection (d) and that the defects have not been cured, the Board shall  
9 inform the landlord in writing. The landlord shall be required to correct the violation within three  
10 business days after receiving the notice. If the landlord has not corrected the violation within three  
11 business days, the Board may impose a reasonable administrative penalty of up to \$100 per day, not  
12 counting the three-day correction period, provided that in no event shall the total administrative  
13 penalty for a single listing exceed \$1,000. The procedure for the imposition, enforcement, collection,  
14 and administrative review of the administrative penalty shall be governed by Administrative Code  
15 Chapter 100, “Procedures Governing the Imposition of Administrative Fines,” which is hereby  
16 incorporated in its entirety. Any administrative penalties collected under this subsection (e)(1) shall be  
17 deposited in the General Fund of the City and County of San Francisco to be used for enforcement of  
18 this Section 37.9F.

19 (2) The City Attorney may bring a civil action in San Francisco Superior Court  
20 against a party who has failed to comply with this Section 37.9F. A nonprofit organization with tax  
21 exempt status under 26 United States Code Section 501(c)(3) or 501(c)(4) and with a primary mission  
22 of protecting the rights of tenants in San Francisco may also bring such a civil action, provided that the  
23 organization shall first provide 30 days’ written notice of its intent to initiate civil proceedings by  
24 serving a draft complaint on the City Attorney’s Office and on any known address(es) of the affected  
25 tenant(s), and may not initiate civil proceedings until the end of this 30 day period. A party who

1 violates this Section 37.9F may be liable for civil penalties of not more than two times the amount paid  
2 or received for use of the rental unit during the period of the unlawful activity, and each rental unit  
3 used in violation of this Section 37.9F shall constitute a separate violation. Any monetary award  
4 obtained in such a civil action shall be deposited in the General Fund of the City and County of San  
5 Francisco to be used for enforcement of this Section 37.9F. The court shall also award reasonable  
6 attorney's fees and costs to the City Attorney or a nonprofit organization that is the prevailing party in  
7 such a civil action.

8 (3) The remedies available under this subsection (e) shall be in addition to any other  
9 existing remedies that may be available.

10 Section 5. Additional Findings. Section 5 of this ordinance is intended to clarify  
11 existing law regarding fixed-term agreements, and prevent landlords from circumventing  
12 eviction controls by allowing residential occupancy through non-tenant uses. Accordingly, the  
13 Board finds that the City's Residential Rent Stabilization and Arbitration Ordinance (the "Rent  
14 Ordinance"), as amended by this ordinance, is consistent with the Tenant Protection Act of  
15 2019 (Assembly Bill No. 26 (Chiu), hereafter "AB 1482"); and that it further limits the reasons  
16 for termination of a residential tenancy, results in higher relocation assistance amounts, and  
17 provides additional tenant protections, and is therefore more protective than AB 1482; and the  
18 Board intends that the Rent Ordinance (as hereby amended) shall apply rather than AB 1482.

19 Section 6. Controller's Study. No later than January 1, 2021, the Controller, with the  
20 support of consultants as necessary and consistent with the civil service provisions of the  
21 Charter, and in consultation with the Planning Department and other City agencies as  
22 necessary, shall conduct a study to analyze the impacts created by the development of new  
23 Intermediate Length Occupancy units on the City and relevant City services. The Controller's  
24 study shall be submitted to the Board of Supervisors.





**City and County of San Francisco**  
**Tails**  
**Ordinance**

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

**File Number:** 191075

**Date Passed:** May 12, 2020

Ordinance amending the Planning Code to create the Intermediate Length Occupancy residential use characteristic; amending the Administrative Code to clarify existing law regarding the enforceability of fixed-term leases in rental units covered by the just cause protections of the Residential Rent Stabilization and Arbitration Ordinance (the "Rent Ordinance"), prohibit the use of rental units for temporary occupancies by non-tenants, require landlords to disclose in advertisements for such units that the units are subject to the Rent Ordinance, and authorize enforcement through administrative and/or civil penalties; requiring the Controller to conduct a study to analyze the impacts of new Intermediate Length Occupancy units in the City; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

February 24, 2020 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

February 24, 2020 Land Use and Transportation Committee - CONTINUED AS AMENDED

March 02, 2020 Land Use and Transportation Committee - CONTINUED

March 09, 2020 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

March 09, 2020 Land Use and Transportation Committee - CONTINUED AS AMENDED

March 30, 2020 Land Use and Transportation Committee - CONTINUED TO CALL OF THE CHAIR

April 27, 2020 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

April 27, 2020 Land Use and Transportation Committee - RECOMMENDED AS AMENDED

May 05, 2020 Board of Supervisors - PASSED ON FIRST READING

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

May 12, 2020 Board of Supervisors - FINALLY PASSED

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

File No. 191075

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 5/12/2020 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo  
Clerk of the Board



London N. Breed  
Mayor

5/22/20

Date Approved