



Presentation to the Homeless Oversight Commission (Draft)

San Francisco Evictions Policies



Agenda

- Background on SF's Eviction Policies.
- March Hearing
- HSH's Policy
- 10 Changes to Improve HSH's Policy
- Questions

Background on SF's Eviction Policies

- Mark Farrell legislation
- 30 Right Now
- SF Chronicle article

-> 25% of SF evictions in buildings housing 1% of renters

“millions of taxpayer dollars to evict at least 410 people from single-room-occupancy hotels, or SROs, used to house the homeless — about a quarter of all court-ordered evictions carried out by the Sheriff's Department between January 2019 and May 2022.”

BAY AREA

Why has S.F. evicted hundreds of homeless people from supportive housing? City leaders vow to find out

Joaquin Palomino, Trisha Thadani

Dec. 6, 2022 | Updated: Dec. 6, 2022 6:52 p.m.





March Hearing

- Following SF Chronicle article, Supervisor Preston called for a hearing on city's Evictions Policies held on March 20, 2023
- Key insights revealed in hearing:
 1. As the Chronicle reporting touched on: City is paying for both sides of legal evictions (for the tenant and for the provider)
 2. Opportunities to reduce Evictions through better processes such as transfers, arbitration, better support of tenants
 3. Evictions for non payment of rent during Covid increased but Emergency Rental Assistance Programs (ERAP) kept people housed



HSB Policy

- [HSB Nonpayment of Rent Guidance](#)



10 Changes to Improve Eviction Policy

1. Change "should" to "must" throughout document:

Though some permanent supportive housing providers may follow or exceed the guidelines, there are many bad actors such as the Tenderloin Housing Clinic, who tend to not respect tenants rights and autonomy.



10 Changes to Improve Eviction Policy

2. Require Pre-Eviction Arbitration:

The court system has historically been sympathetic to landlord concerns, and this power dynamic is enshrined in state law. While we respect the idea of having checks and balances internally, as provided in HSH document, many tenants have been evicted for ridiculous reasons from certain permanent supportive housing providers. Given that the city has the power of the pursestrings over HSH providers and given the vulnerability of PSH tenants, there must be a process above the landlord and before eviction to help salvage housing. This would be a cost saving measure



10 Changes to Improve Eviction Policy

3. Allow maximum flexibility in rent payment, including allowing tenants to have direct deposit and being able to pay by any lawful means, including by personal check and remotely, with appropriate guardrails. Tenderloin Housing Clinic only allows money order or having a third party payee.

4. Bans late fees



10 Changes to Improve Eviction Policy

5. Require that property/case management notify the tenant of their right to organize
6. Limit stipulated agreements to the issue or issues leading to eviction proceedings.



10 Changes to Improve Eviction Policy

7. Limit "nuisance" evictions to substantial nuisance having a clear impact on other tenants within the building.

This is to prevent abuses by PSH providers and evictions for frivolous reasons such as having a disorganized room or cursing at a desk clerk, while protecting the right to remove tenants who may cause real problems such as fire starting and aggravated assault.



10 Changes to Improve Eviction Policy

8. Ban eviction for visitor policy violations, unless the visitor/s are causing substantial nuisance.
9. Provide for the right of mobility for those who are at risk of behavioral evictions, and setting criteria
10. Require PSH providers to notify tenants of their rights throughout the eviction process



Questions ?