

San Francisco Expands Just Cause Eviction Protections



on
constructed

The rent

limitations and the eviction controls enumerated in the Rent Ordinance previously applied only to apartment buildings with a certificate of occupancy issued before June 13, 1979. Under San Francisco Ordinance No. 296-19 (the "Haney Amendment"), the "just cause" eviction provisions in the Rent Ordinance now apply to all apartment buildings. Part of the rationale for the Haney Amendment is to reconcile the eviction controls in the Rent Ordinance with the California Tenant Protection Act, which established statewide rent caps and eviction controls for most residential properties built before 2005. The Tenant Protection Act does not supersede local rent control or eviction protections, so long as the local ordinance is more protective. (For more information about the details of the intricacies of the Tenant Protection Act, see our previous [update](#).) The Haney Amendment found that the Rent Ordinance is more protective than the Tenant Protection Act because it provides more limited reasons for evicting tenants as well as higher relocation assistance and other tenant protections.

Under the Haney Amendment, landlords will now be required to pay relocation fees due under the Rent Ordinance, follow the buyout procedures specified under the Rent Ordinance, and comply with the Rent Ordinance regulations on capital improvements. Except for the rent limitations prescribed under the Rent Ordinance, all provisions of the Rent Ordinance now apply to apartment buildings built after 1979. According to the Haney Amendment, "community members and tenant advocates have seen a sudden increase in no cause eviction notices" to tenants in units built after 1979. The City found that the increase appeared to be triggered by

the adoption of the Tenant Protection Act because landlords were attempting to evict tenants before the new statewide regulations went into effect. The changes to the Rent Ordinance are meant, in part, to stop such evictions. The City collects a per-unit fee for each residential dwelling unit that is subject to the Rent Ordinance, which funds the cost of operating the Rent Board. Owners subject to the expanded just cause eviction protections must now also pay Rent Board fees. For now, the rent limitations under the Rent Ordinance do not apply to post-1979 apartment buildings. However, the rent limitations under the Tenant Protection Act do apply to apartment buildings built after 1979 but before 2005.

Authors



Allan E. Low

Partner

ALow@perkinscoie.com [415.344.7000](tel:415.344.7000)

Blog series

California Land Use & Development Law Report

California Land Use & Development Law Report offers insights into legal issues relating to development and use of land and federal, state and local permitting and approval processes. [View posts by topic](#). [Subscribe ?](#)

[View the blog](#)