Patrick Monette-Shaw
975 Sutter Street, Apt. 6
San Francisco, CA 94109
Phone: [redacted] • e-mail: [redacted]

September 26, 2025

"Moving Rent Board appeals to the Board of Appeals will require an average of 114 tenants and landlords annually to have to begin paying fees to file their appeals. They currently face no fees!"

Ed Harrington, Chair
Commission Streamlining Task Force
c/o City Administrator's Office
City Hall, Room 316
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4694

Re: **Residential Rent Stabilization and Arbitration Board (Rent Board)**

Dear Chair Harrington and Commission Streamlining Task Force Members,

It would be unfair to renters to move Rent Board appeals to the Board of Appeals, for a number of reasons.

Rent Board Appellate Functions: 30-Year History

	Year	Appeals			ADR Requests			Owner Move-In Evictions	
Year	Ending 6/30 …	Tenant	Landlord	Subtotal	Tenant	Landlord	Subtotal	Notices	Recission Requests
Rows 1 – 20 hidden for years ending June 30, 1995 – 2014 for space reasons in this illustration.									
21	2015	89	60	149	45	35	80	389	6
22	2016	95	75	170	21	27	48	413	29
23	2017	44	76	120	20	25	45	348	14
24	2018	46	62	108	22	34	56	274	29
25	2019	73	50	123	25	24	49	209	61
26	2020	115	61	176	32	15	47	96	57
27	2021	46	34	80	28	30	58	23	15
28	2022	36	27	63	23	24	47	76	25
29	2023	43	44	87	30	26	56	75	34
30	2024	30	33	63	13	10	23	68	20
	Total:	**3,649**	**1,729**	**5,378**	**637**	**521**	**1,158**	**11,796**	**293**
	10-Year Average:	**62**	**52**	**114**	**26**	**25**	**51**	**197**	**29**

ADR Alternative Dispute Resolutions

Recission Requests Notice that either OMI was withdrawn, or replaced with a subsequent OMI notice.

Source: San Francisco Rent Board, "*Rent Board Annual Report Fiscal Year 2023 – 2024*" (7/1/2023 – 6/30/14).

First, as the "*Staff Discussion*" section in the 129-page "*Housing and Economic Development* Bodies" analysis memo states on page 92 that the Rent Board heard deciding 70 appeals is the last year. Similarly, the Rent Board's "*Annual Report for Fiscal Year 2023–2024*" indicates the Rent Board heard 63 appeals (between tenant appeals and landlord appeals) in the fiscal year ending June 30, 2024. As the table above shows, across the past 30 years the Rent Board has heard a whopping 5,378 appeals. It's not clear whether the 1,158 "*Alternative Dispute Resolution*" (ADR) cases across those 30 years were separate from, and in addition to the 5,378 appeals heard, or whether the 1,158 ADR cases are a subset of the Appeals that went on to require additional dispute resolution.

The fact remains, those 5,378 appeals were handled by the Rent Board **at no charge to either renters or landlords**. But if the Streamlining Task Force transfers the Rent Board's appeals hearings away and "*combines*" them with the Appeals Board, those litigants will likely start having to pay out-of-pocket fees for their Appeals to be heard, because the Board of Appeals' fee structure is such that all appeals face a filing fee.

Moving Rent Board appeals to the Board of Appeals will require an average of 114 tenants and landlords annually (62 tenants, 52 landlords) to have to begin paying fees to file their appeals and have them adjudicated, an unnecessary new burden on renters that heretofore they have not had to pay.

This would be an unintended consequence of this Streamlining Task Force fixation on "*standardizing*" appeals processes across all City Departments.

Second, while most of the Board of Appeals appeals cases are typically scheduled within six to eight weeks following receipt of an appeal, a list of Appeals Board cases shows that some appeals take three, four, eight, or even 10 months between the date an appeal is filed and a hearing date is scheduled. It is thought that Renters appealing to the Rent Board need their appeals heard in a far timelier manner, and can't afford to have their appeals delayed by up to 10 months!

Third, the BLA Cost Analysis shows the Rent Board in its governance, regulatory, and appellate functions have zero full-time "*hard costs*" staff, and relies only on part-time employee "*soft costs*." Transferring ("*combining*") the Rent Board's appellate functions to the Board of Appeals is **not** going to save one cent from the Rent Board's total $202,247 annual costs — because all of the Rent Board's "*part-time employees*" are likely to retain their jobs, as the BLA's costs analysis report noted.

Indeed, it will introduce new costs to both renters and landlords (forced into paying appeals fees to the Board of Appeals), and will also likely drive up costs for the Board of Appeals, who will likely have to **hire additional full-time "*hard costs*" staff** to handle increased workload from the Rent Board, as your own Staff analysis by Ms. Alonso noted on page 92.

Transferring the Rent Board appeals to the Board of Appeals will backfire, or boomerang, as far as so-called "*efficiency*" goes, precisely because ***adding*** **full-time "*hard costs*"** staff to the Board of Appeals — to handle workload the Rent Board is currently handling with existing Rent Board staff — will just result in hiring more City employees. That is not an "*efficiency*" savings, it's an increase in costs becoming less "*efficient*."

> **"San Francisco's Board of Supervisors passed the Rent Ordinance 46 years ago to create the '*Residential Rent Stabilization and* Arbitration *Board*' to provide a forum to arbitrate rental unit appeals.**
>
> **The Board of Appeals was created with a remit for the purpose of providing a final review process for administrative appeals related to a wide range of *City permits and licenses*, not leases between landlords and tenants, which are *fundamentally* and qualitatively *different*!"**

In June 1979 — 46 years and four months ago — San Francisco's Board of Supervisors passed the Rent Ordinance to create the "*Residential Rent Stabilization and* **Arbitration** *Board*" (Rent Board) to assist tenants and landlords with understanding and resolving disputes related to the law. It was intentionally titled, in part, "***Arbitration***," to provide a forum for both tenants and landlords to file appeals involving rental units for **arbitration** in the event of landlord/tenant disputes.

When the Rent Board was created, the Board of Supervisors could have assigned appeals of landlord-tenant disputes to San Francisco's Board of Appeals, which then existed, since the Board of Appeals had been created 93 years ago in 1932.

The Supervisors did not, although that option was open to the, precisely because the Board of Appeals was created with a remit for the purpose of providing a final review process for administrative appeals related to a wide range of **City permits and licenses**, not leases between landlords and tenants, which are fundamentally and qualitatively **different** than permits and licenses. The Board of Supervisors wisely assigned landlord-tenant dispute appeals to the Rent Board for adjudication.

For this Streamlining Task Force to almost 50 years later now raise a red herring that "*separation and neutrality*" is an urgent problem is nothing more than a smokescreen, and a ridiculous pretext for moving Rent Board appeals to the Board of Appeals. Circumstances regarding landlord-tenant disputes are as old as the Sun, and nothing has evolved changing the basic nature of the fact that an arbitration body belongs as close as it can get to its founding Body.

Rent Board appeals should **not** be transferred to the Appeals Board on this flimsy pretext. Instead, this Streamlining Task Force should honor the 50 years of precedent that exists for the Rent Board to hear tenant and landlord appeals.

Task Force Chair Harrington has previously cautioned members of this Task Force against "*dramatically altering the city's commission structure*," because "*Prop. E*" was about streamlining, not radically overhauling, public governance. Removing the Rent Board's "***arbitration***" functions is a radical act of overhauling a system that has been in place for nearly half a century, which has worked well. It doesn't need this massive overhaul of its basic functions. The Board of Supervisors should overrule this Task Force, if this Task Force makes any such decision!

Fourth, it's another red herring to assert that appeals bodies should be independent from the City department whose decisions they review, because this Task Force has already granted Police Department and Fire Department employees to have their disciplinary *appeals* heard by their respective Commissions. Since this Task Force has made exceptions to so-called "*rules*" in your templates, this Task Force should make another exception and allow the Rent Board governing body to retain hearing appeals raised by landlords and tenants.

The claim there is a need to create more *separation* and "*neutrality*" is a smokescreen.

Finally, the Rent Board's four-page **response** to the "*Commission and Other Public Bodies Questionnaire*" that the Streamlining Task Force solicited from Boards and Commissions clearly states:

> "*Moreover, by enforcing the Rent Ordinance* ***through consideration of appeals, the Board establishes policies and procedures that Administrative Law Judges must follow***."

The Rent Board's questionnaire response noted on page 3 that moving Rent Board appeals to the Board of Appeals would deprive the Rent Board from being able to glean lessons learned from the appeals to be able to inform recommendations to the Board of Supervisors for changes to the Rent Ordinance, and prevent the Rent Board from being able to develop policies and procedures for Administrative Law Judges to follow!

The Rent Board is closest to understanding provisions in the Rent Ordinance, so it is logical the Rent Board should retain hearing Rent Board appeals!

The Rent Board's response to question #15 in the questionnaire also noted there are no other public bodies that administer the Rent Ordinance, and no other public bodies that perform similar functions, or work on similar issues, that the Rent Board performs. It goes on to assert that the Appeals Board hears quasi-judicial cases involving housing-related issues, but those issues focus on building alterations, building site permits, or "*Place of Entertainment*" venue permits and are not involved in implementing or administering the Residential Rent Control Ordinance.

"Fourth, it's another red herring to assert that appeals bodies should be independent from the City department whose decisions they review. (SFPD disciplinary appeals are heard by the Police Commission.)

Since this Task Force has made exceptions to so-called '*rules*' in your templates, this Task Force should make another exception and allow the Rent Board governing body to retain hearing appeals!"

One last point: Just as this Streamlining Task Force decided to retain the SFMTA's Citizens' Advisory Committee for fear of interfering with a potential upcoming ballot measure to raise more revenue for the SFMTA, this Streamlining Task Force should stop to consider that because San Francisco renters represent two-thirds of voters, moving the Rent Board appeals process to the Board of Appeals will almost guarantee renters will start having to pay fees in order to file appeals. That may well doom any and all Ordinances this Task Force and the Board of Supervisors put before voters to make changes to San Francisco's Boards and Commissions.

As a renter myself, if you recommend that any Rent Ordinance appeal I may have to file in the future might involve paying new fees to the Appeals Board, I'd be very inclined to vote **against** any measure(s) you place on the ballot as a result of "*Prop. E*" Task Force efforts to streamline boards and commissions.

I'm likely not alone believing this way, even if it sounds transactional.

Don't eliminate the Rent Board, or combine its appellate functions with the Appeals Board. Leave it as the fine community body that it is! It ain't broke; stop trying to "*fix*" it!

"Just as this Streamlining Task Force decided to retain the SFMTA's Citizens' Advisory Committee for fear of interfering with an upcoming ballot measure to raise revenue for the SFMTA, moving Rent Board appeals to the Board of Appeals may doom any and all Ordinances this Task Force and the Board of Supervisors put before voters to make changes to San Francisco's Boards and Commissions!"

Sincerely,

/s/
Patrick Monette-Shaw

cc: Rachel Alonso, Project Director, City Administrator's Office