

SAN FRANCISCO RENT BOARD
List of Rules & Regulations Amendments

SUBJECT: Following is a list of all amendments to the Rules & Regulations:

<u>EFFECTIVE DATE</u>	<u>R&R SECTIONS</u>	<u>SUMMARY OF AMENDMENTS</u>
8/10/79		Rules & Regulations adopted.
7/22/80	2.14	Amends the Board's meeting location to the State Building, 350 McAllister Street, Room 1195.
9/8/80	1.22, 2.10, 3.10, 6.10, 7.12, 7.13, 7.18, 7.22, 7.25, 11.10	Wholesale changes including the renumbering and addition of various rules. Replaces the word "appeal" with "petition" in Section 3.10. Adds that there is no exception to the rule against basing a finding of fact solely on hearsay evidence on account of an absent party.
10/14/80	1.22, 9.11, 9.20, 9.28, Part 11	Wholesale changes including the renumbering and elimination of various rules. Adds Part 1 "Alternate" and "Ordinance" subsections, Part 2 "Agenda", Part 7 "Consolidation", "Notice of Hearing; Response" "Notice to Attorney", "Burden of Proof" subsections, Part 9 "When Certification Required" and "Effect of Vacancy on Rent Increases Requested for Capital Improvements" subsections. All of Part 11 added.
10/21/80	Part 4	Replaces the language in Section 4.10(a)(3) from 15% to 6%. Adds subsections 4.10(d) and (e).
12/16/80	Part 1, 4.10(d), 6.10, Part 11	Adds Section 1.23 "Wrongful Evictions". Amends subsections 11.10-11.13. Adds subsections 11.14 and 11.15.
2/10/81	2.14	Changes the Board meeting time from 5:00 p.m. to 5:30 p.m.
4/21/81	Part 4, Part 6	Deletes Section 4.10(d), 6.10(i)-(j).
10/20/81	1.22, 2.14	Provides for only one utility passthrough in a 12-month period to be given at the time of a tenant's annual rent increase. Replaces the calculation period from 6 months or more to 12-months. Changes the mandatory Board meetings from every Tuesday to the first Tuesday of the month and thereafter on subsequent Tuesdays according to its workload.
4/1/82	Part 1-2, Part 4-Part 10	Wholesale changes including renumbering and elimination of various rules. Adds debt service as one of the categories to consider in justifying an operating and maintenance rent increase. Amends the rule regarding a landlords increased costs based on refinancing where the landlord has obtained funds in excess of existing financing.

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7/1/82	6.10, 6.12(f)	Limits a rent increase triggered by a change in debt service to 75% of the change in the CPI starting from the date of the tenant's initial occupancy until June 14, 1979 and to 7% prorated thereafter, and for tenancies that began prior to 1967, the rent paid on January 1, 1967 shall be used for computing the change in CPI. Clarifies that rent increases that result from capital improvements do not become part of the base rent for purposes of calculating future increases.
3/1/83	6.10	Reinstates section 6.10(c), which had been erroneously omitted.
7/1/83	6.10, 6.12	Adds "extraordinary circumstances" to the guidelines of 6.10 and limits the comparison period to the immediate preceding 12 months from the date of filing an operating and maintenance petition. Provides the method for calculating the per unit increase and limits a tenant's rent increase to no more than 7% where the increased costs are justified and to the annual allowable where the increase does not exceed 7%. Establishes that if refinancing proceeds were used for capital improvements rule 6.12 shall apply. Eliminates the 5-year amortization period for capital improvements and replaces it with 7-years. Clarifies the costs that qualify as capital improvements versus operating and maintenance expenses.
10/2/83	1.13, Part 6-11	Amends the rules regarding changes in the certification process for capital improvements, rehabilitation, energy conservation work, filing fees, and substantial rehabilitation. Adds Parts 7 and 8 and rennumbers Parts 9-11 (previously parts 7-9).
3/1/84	1.12, 2.10, 4.10, 6.11	Establishes that on March 1 st of each year the Board shall publish the CPI for the preceding 12 months. Replaces "annual 7% increase" to "annual increase". Lowers the limit of a rental increase based on comparables alone from 75% to 60% of the CPI from the date of the tenant's last rent increase. Limits the terms of President and Vice President of the Board to one year requiring a majority vote of the members, and sets eligibility criteria for subsequent terms.

<u>EFFECTIVE DATE</u>	<u>R&R SECTIONS</u>	<u>SUMMARY OF AMENDMENTS</u>
3/11/86	1.11, 11.14, 11.18	Clarifies that capital improvements, rehabilitation, and/or energy conservation work do not alter the tenant's anniversary date. Provides that an annual allowable rent increase cannot take effect less than one year from the anniversary date, but if imposed after one year it sets a new anniversary date for future rent increases. States that an appeal by a non-appearing party based on failure to receive notice must be supported by a declaration under penalty of perjury and any additional facts to support such contention. Establishes that a landlord bears the burden of proving that an increase in excess of the annual allowable rent increase is justified.
4/8/86	6.13	Prohibits a landlord from charging extra rent for a newborn child regardless of a rental agreement between the parties that allows for such an increase.
5/6/86	4.12, 10.10	Clarifies that a banked increase cannot be compounded, may be given once every 12 months, and only at the time of the tenant's annual increase. Limits decrease housing service claims to the preceding 12 months from the date of filing unless the tenant can establish long-term verifiable oral or written notice of the claim.
5/13/86	12.15	Evictions based on capital improvements and/or rehabilitation must involve work that make the unit hazardous, unhealthy, and/or uninhabitable while the work is being performed. States that the notice to vacate must have copies of permits, the description of the work, and the approximate date the tenant can re-occupy.
6/17/86	2.13, 4.11	Changes the room number of the monthly board meetings from 1158 to 1195 and states that when the meeting falls on a legal holiday or election day, the Board will meet on the following Tuesday that is neither a legal holiday or election day. Clarifies "utilities" to include gas, electricity, and/or steam and establishes the two methods the landlord shall use to calculate the increase, both of which yield the same result
6/24/86	6.10(a)	Adds that in an operating and maintenance petition, the use of a particular period in order to create exaggerated results is disfavored and that operating expense increases must be based on actual costs incurred.
10/29/86	12.18 (formerly 12.17)	Adopts Ellis regulations and procedures regarding evictions under Ordinance Section 37.9(13).
1/1/87 (eff.) 12/16/86 (amend.)	3.10(a)-(d)	Increases the filing fee for landlord petitions from \$15 per unit not to exceed \$150 to \$20 per unit not to exceed \$400, the tenant petition fee from \$10 to \$15, and the appeals filing fee from \$10 to \$15 per rental unit.

<u>EFFECTIVE DATE</u>	<u>R&R SECTIONS</u>	<u>SUMMARY OF AMENDMENTS</u>
2/14/87 (eff.)	3.10(e), 12.15, 12.16,	Adds that an extension of time petition where the tenant

2/10/87 (amend.)	12.17	<p>will be displaced for more than three months requires a filing fee of \$20 per unit not to exceed \$400 for any single petition in addition to the hearing officer fees. Provides that where the allowed time to perform the capital improvement work has passed and the landlord has not informed the tenant that the unit is read to reoccupy, the tenant may file a decrease in service petition and/or a report of alleged wrongful eviction. States that a landlord must advise the tenant in writing on or before service of a notice to vacate based on capital improvements/rehabilitation that a permit application and plans, if required, are on file with the Dept. of Public Works and are available for viewing. Establishes that a tenant need only vacate for the minimum time required to do capital improvement work not to exceed 3 months, unless the landlord files a petition for an extension of time. Adds that displaced tenants should advise the Board and the landlord of their temporary address in order to be notified upon completion of the work and re-occupancy of the unit. Requires a landlord to pay actual moving and relocation costs up to \$1000 no less than 10 days before recovery of possession of the unit and/or 10 days of the tenant establishing the actual costs of moving, and includes a list of relocation expenses that can be reimbursed to the tenant including the difference in rent between the current rent and the rent to be paid while displaced. Provides procedures for a landlord to petition for an extension of time</p>
2/21/89	1.15(e), 2.10, 2.11, 6.10	<p>Adds requirements for owner-occupied rental units to claim exemption where the owner holds in good faith at least a 50% recorded interest, is a natural person, and has actually resided in the unit for at least 6 consecutive months. Provides that the owner can only have one principle place of residence and lists the elements that lend creditability to an owner's claim of principle place of residence. Excludes certain owner occupied units from the definition of "rental unit". Permits alternate Board members to be elected as officers and to preside over appeal hearings.</p>
^r 2/28/89	1.13, 6.10	<p>Adds examples regarding items that are considered capital improvements versus repairs, and provides that repairs that are incidental to a capital improvement are considered capital improvements. Establishes a new subsection regarding operating and maintenance increases based on refinancing.</p>

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3/7/89	6.14, 10.10, 10.11, 11.15, 11.17, 11.25, 12.14, 12.19	Amends the rules regarding evictions for owner/relative move-in. Prohibits agreements between landlords and tenants to pay additional rent for a change of tenants. Adds changes regarding conciliation attempts under certain circumstances. Amends the rule on the reimbursement of tenant filing fees. Changes the rules regarding tenant petitions based on a decrease in housing service, as proposed with the amendments to subsection 10.10(a)(2) and replaces the language in 10.10(d) to include the phrase "in extraordinary circumstances". Clarifies the rule regarding tenant petitions based on failure to perform ordinary repair and maintenance and adds procedures for tenants displaced due to fire and/or other disaster.
3/14/89	7.12(d), 7.17	Amends rule 7.12(d) to approve "Option 1" and limits its application to a six-month period. Provides for administrative dismissal of capital improvement petitions under certain circumstances.
3/21/89	7.15	Adds subsection (c) and provides that "luxury" items in common areas shall not be certified as capital improvements where a tenant has made an objection unless the landlord can establish that the items were required for health and safety, the items were in need of replacement, and the replacement items were of equivalent quality as the items being replaced.

<u>EFFECTIVE DATE</u>	<u>R&R SECTIONS</u>	<u>SUMMARY OF AMENDMENTS</u>
8/29/89	1.16, 2.18, 4.10, 4.12, 6.11, 6.14, 7.10, 7.12	Provides that for a building to qualify under the definition of substantial rehabilitation it must be "essentially uninhabitable, the work performed does not merely modernize or upgrade the building, improvement costs must equal or exceed the cost of a newly constructed building with the same number of units and type of construction, and that the determination of estimated construction costs will be based on data reported to Marshall and Swift. Adds the phrase "or in the interest of justice" to Section 2.18. Prohibits the rounding up or compounding of banked rent increases and allows a hearing officer to readjust a rent increase that has been rounded up no more than .5% of the prior base rent where there is no pattern of systemic rounding. Establishes that a comparables petition requires extraordinary circumstances such as a special relationship between the landlord and the tenant, fraud, mental incapacity, or similar reason the rent for the unit was set very low, not increased, or increased in negligible amounts. Provides that it will only be granted once in the life of the unit, and it precludes all annual, banked and operating and maintenance increases the landlord could have imposed. Provides that a "reasonable restatement" of section 6.14 must be attached or incorporated into any agreement or notice given to a tenant. States that the proof of compliance for each capital improvement shall be filed with the Bureau of Building Inspection and adds a list of capital improvements along with the applicable amortization schedules.
9/5/89	1.16	Provides that work simply to modernize or up-grade an otherwise substantially safe and habitable building do not qualify by themselves as substantial rehabilitation.
9/19/89	3.10, 3.11(deleted), 3.12, 11.10, 11.20	Establishes that the landlord must deposit with the Rent Board the cost of hiring an estimator for capital improvement or substantial rehabilitation certification, and must be paid by check or money order payable to the Rent Board. Replaces the phrase "payment of a filing fee" to "payment of an estimator fee". Excludes Reports of Alleged Wrongful Eviction from the requirement that the proceeding be recorded by tape or mechanical device.
9/26/89	1.16	Changes the percentage required for improvements to be deemed substantial rehabilitation to 75% of the cost of newly constructed residential buildings of the same number of units and type of construction, excluding land costs and architectural/engineering fees.

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4/17/90	7.18	Provides that a landlord may passthrough the cost of natural disaster non-structural repair work that would ordinarily be considered routine maintenance and repairs if: (a) landlord files a petition for certification with the Rent Board (b) the cost has not been reimbursed by insurance (c) cost are allocated to all units (d) amortized over 10 years, and (e) interest is limited to actual interest paid or 10% whichever is lower.
5/1/90	7.10 (amended 8/29/89 and by correction 5/1/90), 7.18	Adds that the cost of natural disaster repair work of a non-structural nature will not be considered routine operating and maintenance and repairs under Section 6.10, and provides guidelines for a landlord to petition for a passthrough of these costs to a tenant under specific circumstances.
9/19/90	8.13 (deleted)	
6/18/91	1.16, 2.13, 4.10, 4.12, 4.13, 7.10, 7.12, 11.13, 12.14	Amends Section 4.10 and 4.12 regarding rent increases to conform with the amendments to Ordinance Section 37.3(a). Clarifies that capital improvements and rehabilitation costs reimbursed by insurance proceeds shall not be certified for purposes of capital improvement passthroughs or substantial rehabilitation exemptions. Allows a landlord to impose an increase based on excess water use charges levied by the SF Water Dept. Retitles Section 11.13 from "Continuances" to "Postponements" and provides the limitations and process for requesting a postponement. Increases the ownership interest for evictions based on Ordinance Section 37.9(a)(8) filed after 2/21/91 to a recorded fee interest or equitable interest under contract of sale of at least 25%. Changes the location of the Board meetings from 350 McAllister to 25 Van Ness Avenue.
8/27/91	8.13	Requires an estimator fee for capital improvement, rehabilitation, energy conservation, or substantial rehabilitation certifications pursuant to Section 3.10 and 3.12.
6/20/92	11.25	Establishes an expedited hearing process for tenant or landlord petitions where certain requirements are met.
12/8/92	1.12	States the annual allowable rent increase between 12/8/92-2/28/93 is 1.6%, and thereafter the Board will determine on a yearly basis the new rate to be effective every March 1 st . Establishes that the annual allowable rate of increase shall be no more than 60% of the CPI for All Urban Consumers in the San Francisco-Oakland-San Jose region, but in no event shall the rate exceed 7%. Provides that for the period between 3/1/92-12/7/92 the annual allowable rate is 4%.

<u>EFFECTIVE DATE</u>	<u>R&R SECTIONS</u>	<u>SUMMARY OF AMENDMENTS</u>
1/18/94	2.13, 11.17	Limits testimony by members of the public at hearings before the Board to 3 minutes in duration. Provides that relevant hearsay evidence is admissible for petitions filed after 1/19/94 including, as the sole support for a finding if it would be admissible in a civil action or the hearing officer determines it is sufficiently reliable and trustworthy.
5/24/94	6.10	Allows a landlord recovery of bond, parcel tax or fees imposed under a special assessment district related property tax increases through an operating and maintenance petition. Provides that the tax increase cannot exceed the 7% cap and it must be certified through the petition process and recalculated each year or it is discontinued.
9/27/94	2.18	Permits the Board to delegate the hearing of a financial hardship appeal to a hearing officer and provides that the resulting decision is subject to the right of appeal to the Board.
10/4/94	7.14	Changes the allowance of actual and imputed interest for capital improvement or rehabilitation work for petitions filed on or after 10/18/94 and provides that on March 1 st of each year the Board shall publish two rates of imputed interest subject to the 10% limitation that shall remain effective until February 28 th (or February 29 th) of the following year.
12/20/94	1.11	Establishes the process for setting an anniversary date to impose an annual rent increase for newly covered units under Proposition I.
1/31/95	1.15(c)	Clarifies that the term "rental unit" does not include housing accommodations for the elderly operated pursuant to a license issued by CA Dept. of Social Services as required by CA Health & Safety Chapters 3.2 and 3.3.
2/1/95	4.10(d), 6.10(i), 6.11(d), 7.10(d)	Provides that landlords of Prop I affected units may petition the Board to certify the costs of capital improvements, rehabilitation and/or energy conservation work, increased operating and maintenance expenses, and comparables. States that the transitional period shall be 5/1/94-12/21/94 as defined by Ordinance Section 37.12 and any tenancy that commences on or after 12/22/94 or rented during the "transition period" shall not be entitled to the rent roll back and the refund provisions of Ordinance Section 37.12 provided the unit was vacated during the transition period as a result of a proper termination.

<u>EFFECTIVE DATE</u>	<u>R&R SECTIONS</u>	<u>SUMMARY OF AMENDMENTS</u>
2/7/95	10.10(e)	Establishes the first date for any rent decrease for newly covered units shall be 12/22/94 provided the initial base rent includes all housing services or those reasonably expected as of the initial base rent date or at the commencement of the tenancy, whichever is later.
2/14/95	6.14(e)	Provides that where a tenancy began on or after 2/14/95 in a newly covered unit, a new co-tenant shall be considered a tenant unless the landlord informs the new co-tenant that he/she is not approved and provides the co-tenant with written notice within 6-calendar months of the effective date of this regulation up to and including 8/13/95.
3/7/95	1.15(e) (deleted), 6.11(d)(7), 7.10(d), 12.14	Deletes Section 1.15(e) and moves the language defining what constitutes an owner's "principal place of residence" to Section 12.14. Provides that no rent increase subject to Section 6.11(d) shall exceed 10% of the tenant's base rent during each of the first and second 12-month periods, and provides that the landlord may impose any approved accumulated increase amounts in subsequent years without limitation. Establishes that a tenant of a newly covered unit entitled to a rent roll back and the refund provisions of Ordinance Section 37.12 shall not be subject to Section 7.12(b) if (1) the rent imposed after 5/1/94 but before 12/22/94 was based on capital improvement costs, or (2) the tenancy began after 5/1/94 but before 12/22/94 at a base rent higher than the initial base rent for a newly covered unit and the higher rent was due to capital improvement costs.
3/14/95	Effective 2/1/95: 6.10(i)	Allows landlords of newly covered units to petition the Board for increased operating and maintenance expenses provided costs were incurred on or after 5/1/94. States that where the landlord's Year 2 expenses were incurred on or after the period of 5/1/94 to 12/22/94, the requirement that tenants be in residence during Year 1 shall not apply if the tenant moved in after 5/1/94 and before 12/22/94 and the tenant was entitled to a rent rollback and refund in accordance with Ordinance Section 37.12.

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4/25/95	Effective 2/1/95: 1.11, 1.15, 1.16, 4.14, 5.13, 6.10, 7.10, 10.10 Effective 2/14/95: 6.14(e)	Provides that the 1 st anniversary date for newly covered units under Prop I shall be the date of the last lawful rent increase imposed on or before 5/1/94 or the date the tenancy began, whichever occurred later. Defines "Newly Covered Unit" to mean a unit that became subject to the Ordinance on 12/22/94 as a result of the passage of Prop I, a building with 4 or less units, and owner-occupied as a principle place of residence for at least 6 months. Adds that a landlord was/is free to set a new base rent if there was a proper termination of the tenancy during the "transition period", but if the termination would not have been permitted under Ordinance Section 37.9 the landlord is required to refund any overpayments to the new tenant. Provides that petitions based on increased operating and maintenance expenses may at the request of the landlord be treated as if filed on any day on or after 5/1/94 and before 4/25/95, but the actual date of filing will be used to determine the effective date of any rent increase. Adds that for tenancies that commenced after 2/14/95 a landlord must provide a new occupant with written notice on or before 8/13/95 that the new occupant is not considered a tenant, and if the tenancy commenced after that date then a 60-day notice is required. Establishes that petitions filed within 6 months of 4/25/95 may at the request of the landlord be treated as if filed on 5/1/94, but the actual date of filing shall be used to determine the date of any approved increase. States that the earliest effective date for an rent decrease shall be 12/22/94 where the initial base rent includes all housing services provided or reasonably expected as of 5/1/94 or as of the commencement of the tenancy, whichever is later. A landlord is not required to impose a rent increase on the 1 st opportunity after it is granted, rather can impose all or a portion of it at a later date upon proper notice.
6/6/95	6.10	Amends rule for operating and maintenance petitions regarding rent increases based on "Special Real Estate Taxes". Provides that the base year for calculation purposes shall not be prior to the 1994-1995 tax year and establishes that landlords will have to either recalculate the amount of the rent increase on a yearly basis and adjust for any decreases or shall discontinue the increase, but will only be required to file a new petition if the costs increase.
6/20/95	6.10	Wholesale changes including renumbering, and addition/elimination of certain subsections.

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6/18/96	6.10	Amends rule to conform to <u>Collier and Hislop v. S.F. Rent Board</u> including the deletion of any references to "Special Real Estate Taxes" and reverts to the version in effect on 5/24/94, except for certain technical changes of a non-substantive nature which were included in the 6/5/95 amendment.
7/2/96	6.14	Retroactively adopts this amendment to 1/1/96. Adds the word "tenancy" between the words "oral" and "agreement" in subsection (a)(1).
8/6/96	1.12, 8.12, 12.18	Provides that a landlord who was entitled to a 4% rent increase between 3/1/92-12/7/92, but did not impose it may impose it at any time even if two years have not elapsed since the effective date of the last annual increase. Replaces the "Department of Public Works" to the "Department of Building Inspection" throughout.
8/20/96	10.10	Adopts and renumbers various subsections of 10.10 regarding the issue of constructive notice in relation to decreased housing services.
11/19/96	11.15, 11.20, 11.21	Adopts amendments to these sections, which serve to codify the Rent Board's Mediation Project.
3/11/97	1.17	Codifies the Board's Artist Live/Work Policy by adding to the definition of "Rental Units" that a unit can be residential regardless of zoning or legal status, but excludes live/work units where certain conditions exist and commercial space where the residential use is incidental and infrequent.
7/15/97	5.14, 7.17	Allows for the administrative dismissal of capital improvement and certain other landlord petitions without prejudice to re-filing and states a petitioner's right to appeal an administrative dismissal. Provides that only that portion of the rent increase notice based on the administratively dismissed petition would have to be re-noticed if the petition was re-filed on a later date, but all other portions of the rent increase notice would remain in effect.
11/12/97	12.20	Establishes that a landlord may not evict a tenant for a violation of a term of the tenancy, which was unilaterally imposed by the landlord or not materially the same as the terms originally agreed to by the parties.
3/24/98	6.13, 6.15	Amends for clarification purposes that no extra rent may be charged solely for an additional occupant including a newborn child. Adds provisions and guidelines for the replacement of roommates and situations where the landlord may withhold consent to subletting. Provides disclosure requirements for "Master Tenants" who wish to be able to evict a subtenant without "just cause" pursuant to Ordinance Section 37.9.

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10/20/98	7.12(b), 11.10, 12.14(d)	States that a tenant will not be subject to a capital improvement passthrough where the tenant moves into the unit within six months of commencement of the work, during the construction period, or after the work has been completed. Provides that petitions filed for the purpose of determining disability pursuant to Ordinance Sections 37.9(i)(1)(B)(i) and (ii) ("The Moratorium") may be conducted by a departmental hearing officer or any other designee of the department and allows the finder of fact to consider various types of medical evidence absent a prior determination of disability by the Social Security Administration or Rent Board.
1/19/99	7.14(b)(3)	Changes the rates used for the allowance of interest where the landlord expends funds for capital improvements or rehabilitation work from the rates for like years for Treasury Bills as posted on the last day of January in the Wall Street Journal to the Federal Reserve Statistical Release's listing of "Selected Interest Rates" for U.S. Treasury instruments. Provides that the most recent 12 monthly interest rates for seven and ten year Treasury Securities will be averaged and made effective on March 1 st of each year.
5/18/99	1.17(i)	Adds that the term "Rental Unit" excludes a unit where at the inception of the tenancy there had been residential use, there is no longer residential use, and there is commercial or other non-residential use of that unit.
6/29/99	12.18	Entire section deleted. The procedure for withdrawal of a rental unit under the Ellis Act is already contained in the Rent Ordinance.
9/21/99	2.15, 4.10, 4.12	Increases the amount of compensation to Commissioners for attending Board meetings. Allows hearing officers to apply the "de minimus rule" to excessive rent increases not only where the excess is due to "rounding", but where the landlord has acted in good faith and the increase is .5% or less.
12/21/99	6.15	Conforms the process for obtaining a replacement roommate where there is an absolute prohibition against subletting to the process where the rental agreement contains a consent clause.
4/25/00	6.14	Implements wholesale changes to this section in compliance with the requirements of the Costa-Hawkins legislation (Civil Code Section 1954.53).
6/5/01	1.21, 5.10	Provides that a tenant occupy a unit as his/her principal place of residence in order for the unit to be subject to the rent increase limitation of the Rent Ordinance. Requires a landlord to petition the Board for a determination as to whether there is a tenant in occupancy prior to issuing a rent increase to the tenant.

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8/21/01	6.15C(3)	Requires a master tenant to pay an equitable

		proportional share of the rent for the unit.
3/19/02	6.10(e)	States that where a building has been refinanced or where there is a change in ownership resulting in increased debt service and/or increased property tax only the landlord who incurs the increase in expenses may file an operating and maintenance petition.
4/16/02	6.15C(3)	Provides that a master tenant's failure to pay a proportional share of the rent for the unit will not serve as a basis for eviction under Ordinance Section 37.9.
12/3/02	1.21	Clarifies that the phrase "in a rental unit" does not preclude a tenant's use of more than one unit in a building as a principal place of residence where the tenant resides in the units with the knowledge and consent of the landlord.
2/4/03	1.18	Establishes a rebuttable presumption that for purposes of eviction under Ordinance Section 37.9(a)(12) the costs on the approved construction permits are the estimated costs of the proposed work. Requires a landlord who recovers a unit(s) based on substantial rehabilitation to file a petition for exemption within a certain period of time after recovery or the landlord will be deemed to have wrongfully recovered possession in violation of Ordinance Section 37.9(f).
4/1/03	7.10, 7.11, 7.12, 7.14	Amends the capital improvement provisions in conformity with the "Ammiano" legislation and replaces the word "application" with the word "petition" throughout. Adds Energy-Star compliant refrigerators to the 10-year amortization schedule. Clarifies that where a landlord files more than one capital improvement petition the base rent in effect at the time of filing each petition shall be used for the purpose of calculating the maximum 15% rent increase.
2/17/04	6.11	Provides that comparables increases are only warranted in cases where the initial rent was set low due to extraordinary circumstances unrelated to market conditions.
3/23/04	2.13, 2.15	Provides that it is not mandatory for the Board to meet on the first Tuesday of the month and increases the amount of the Commissioners' per diem compensation.
7/20/04	11.23	Clarifies that the Board will provide interpreters, but not attorneys to low-income persons.

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8/24/04	1.19, 2.15, 4.11, 6.16, 10.12, 10.13	Establishes the method for calculating a utility passthrough by computing the increased costs between the "base year" and the comparison year for any notices of rent increase served after 11/1/04. Requires utility passthroughs to be discontinued 12 months after imposition or 60 days after 8/24/04, whichever is later, and establishes a process for a tenant to challenge a utility passthrough where the landlord has not complied with these requirements. Corrects a reference to Ordinance Section 37.2(o) to 37.2(q). Conforms Section 2.15 governing the per diem compensation to Rent Board Commissioners to Ordinance Section 37.4(h).
9/21/04	6.16(i)	Provides an alternative method for calculating the utility costs for laundry facilities in conformity with Section 6.16(g).
3/29/05	6.15	Amends Sections 6.15A and 6.15B to allow for specified family members of a tenant and/or domestic partners 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. Adds Section 6.15D which outlines consent procedures to accommodate family situations.
7/20/05	4.14, 10.14	Provides procedures to implement Ordinance Section 37.3(a)(5)(B) which allows landlords to pass through to tenants 50% of the water bill charges attributable to water rate increases resulting from issuance of water system improvement revenue bonds. Provides procedures for a tenant to challenge an improper water revenue bond passthrough. Section 4.14 renumbered as Section 4.15, but language of that section remains the same.
1/9/07	12.15(d)	Conforms the rule to Proposition H that increases the amount of relocation payments for temporary capital improvement evictions.
3/6/07	12.20(a)	Eliminates section 12.20(a)(3) to conform to Ordinance Section 37.2(r) that requires a landlord to have just cause to remove or sever certain housing services from a tenancy.
6/10/08	1.12, 12.14	Clarifies that for protected status under Ordinance Section 37.9(i)(1)(B), a tenant is only required to meet the disability standard, and not any other requirements, of the federal Supplemental Security Income/California State Supplemental Program (SSI/SSP), and adjusts the month for calculating the annual allowable rent increase.

<u>EFFECTIVE DATE</u>	<u>R&R SECTIONS</u>	<u>SUMMARY OF AMENDMENTS</u>
01/01/09	6.16, 10.13	Eliminates all pre-2002 base years for utility passthroughs and provides that tenants with pre-2002 base years have a new initial base year of 2003 commencing January 1, 2009. Requires a landlord to file a Petition for Approval of Utility Passthrough only where the landlord is comparing utility costs for the two most recent calendar years. For other base years used, the landlord is required to file a Utility Passthrough Calculation Worksheet with the Board. Tenants who receive a Utility Passthrough Calculation Worksheet can file a hardship application to defer the passthrough within one year of the effective date of the utility passthrough. Provides that tenants who receive a Utility Passthrough Calculation Worksheet can file a petition challenging the utility passthrough within one year of the effective date.
02/17/09	1.19	Amends the definition of Tenant's Utilities by deleting reference to Pacific Gas and Electric Company as the only provider of natural gas and electricity.
8/4/09	6.16(g)(iii)	Clarifies that the filing by a tenant of a hardship application stays payment of the utility passthrough until the hardship claim is decided by an Administrative Law Judge after a hearing.
11/01/09	12.16(a)	Establishes a time frame for temporarily displaced tenants to reoccupy the unit after completion of capital improvement work.
12/14/11	12.20	Provides that a tenant may not be evicted for violation of a unilaterally imposed change in the terms of a tenancy unless the tenant accepted the newly imposed term in writing or the newly imposed term is authorized by the Rent Ordinance. Also provides that a landlord's inability to evict a tenant for violation of a unilaterally imposed term shall not constitute a decrease in house service under the Rent Ordinance as to any other tenant.
2/1/12	12.20	Allows a landlord to make a unilateral change in the terms of a tenancy where such change is required by law.
9/17/13	12.19	States how landlords shall notify tenants displaced by fire or other disaster that the unit is ready for re-occupancy. Also requires landlords who seek to pass through capital improvement costs for repairing damage caused by fire or other disaster to serve a notice of rent increase on the tenant(s) in accordance with California Civil Code Section 827.

<u>EFFECTIVE DATE</u>	<u>R&R SECTIONS</u>	<u>SUMMARY OF AMENDMENTS</u>
4/14/14	1.18	Requires that determination of the cost of newly constructed residential buildings be based upon the DBI Cost Schedule required by San Francisco Building Code Section 107A.2 instead of construction cost data reported by Marshall and Swift, Valuation Engineers.
12/4/15	6.15A, 6.15B, 6.15D, 6.15E	Implements amendments to Rent Ordinance Section 37.9(a)(2) by providing that a landlord's failure to deny in writing a tenant's written request to replace a departing roommate or to add additional family members or other occupants to the unit within 14 days, the request is deemed approved. Outlines the process by which a tenant may seek consent for a replacement roommate or to add an additional family member or other additional occupant to the unit and provides the grounds under which a landlord may reasonably deny consent. 6.15E prohibits a landlord from evicting a tenant who has added no more than a specified number of additional occupants to the unit, even where a lease or rental agreement limits the number of occupants or limits or prohibits subletting or assignment, subject to the landlord's reasonable denial following a written request by the tenant.
8/13/16	4.14(l), 6.16(g), 10.15	Establishes procedures and standards for a tenant to obtain relief from payment of the following types of rent increases on the grounds of financial hardship by filing a Tenant Financial Hardship Application with the Rent Board: Capital Improvement Passthrough; Water Revenue Bond Passthrough; Utility Passthrough; and, Operating and Maintenance Expense Increase.
1/1/18	12.14, 12.17	Implements recent amendments to Rent Ordinance Sections 37.9(a)(8) and 37.9B relating to owner/relative move-in evictions by: updating the definition of landlord for purposes of an owner/relative move-in eviction; listing the documents and information to accompany a notice to vacate for owner/relative move-in; clarifying the types of evidence that support a party's claim of principal place of residence; listing the types of evidence relevant to determining whether a landlord acted or is acting in good faith for purposes of an owner/relative move-in eviction; setting forth the reporting requirements for a landlord following service of an owner/relative move-in eviction notice and outlining the information to be included in the Statement of Occupancy; specifying the administrative penalties for any landlord who fails to timely file a Statement of Occupancy.

<u>EFFECTIVE DATE</u>	<u>R&R SECTIONS</u>	<u>SUMMARY OF AMENDMENTS</u>
9/11/18	6.10, 12.17	Section 6.10 was amended to conform to recent amendments to Rent Ordinance Section 37.8(e)(4) which prohibits landlords from seeking rent increases on existing tenants due to increases in debt service and property tax that have resulted from a change in ownership, and prohibits landlords from seeking rent increases due to increased management expenses unless the expenses are reasonable and necessary. Section 12.17 was amended to allow the Rent Board to request that Notices to Vacate under Rent Ordinance Sections 37.9(a)(9), (a)(10), (a)(11) and (a)(14) state the tenant's rent as required by Rent Ordinance Section 37.9(c).
12/10/19	6.10	Section 6.10(e)(4) was added to clarify the standard for determining whether the landlord met its burden of proving that it had "reasonably relied" on the ability to pass through increased debt service and/or property tax costs to the tenants at the time of purchase.
1/28/20	12.15, 12.16, 12.17	Implements recent amendments to Rent Ordinance Section 37.9(a)(11) relating to temporary evictions for capital improvements by: listing the documents and information to accompany a notice to vacate for capital improvement evictions; conforming the relocation amounts to Civil Code Section 1947.9; listing new information to be provided in a landlord petition for an extension of time; adds procedures and timelines for landlords to notify tenants that a unit is ready for reoccupancy; allows the Rent Board to request that Notices to Vacate under Rent Ordinance Section (a)(11) include a blank change of address form.
6/16/20	1.17, 1.18	Implements recent amendments to Rent Ordinance Sections 37.2 and 37.3 extending eviction controls to units constructed after June 13, 1979 and units that have undergone a substantial rehabilitation.
8/11/20	10.15	Allows tenants to seek relief from payment of some general obligation bond passthrough amounts by filing a Tenant Financial Hardship Application, in conformance with recent amendments to Rent Ordinance Section 37.3.
2/16/21	1.10, 2.10, 2.11	Clarifies the participatory role and voting rights of Alternate Board Members; requires the Board to hold elections on an annual basis, allows Board Officers to be re-elected at the expiration of each one-year term.
7/12/22	13.10, 13.11, 13.12, 13.13, 13.14	Adds Section 13 titled "Reporting Obligations Under Ordinance Section 37.15" regarding the requirements of the

Rent Board's Housing Inventory Reporting Requirements.

12/13/22	2.21	Incorporates Administrative Code Section 67B.1, which authorizes Board Members to take parental leave in certain circumstances.
8/13/24	10.15	Allows tenants to seek relief from payment of the entire general obligation bond passthrough by filing a Tenant Financial Hardship Application, in conformance with recent amendments to Rent Ordinance Section 37.3.