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**RESOLUTION AFFIRMING THE COMMITMENT OF THE
COMMISSION OF THE RESIDENTIAL RENT STABILIZATION
AND ARBITRATION BOARD (RENT BOARD) TO RACIAL
EQUITY AND DIRECTING THE DEPARTMENT TO UNDERTAKE
A RACIAL EQUITY INITIATIVE AND DEVELOP A RACIAL
EQUITY ACTION PLAN WITH MEASURABLE OUTCOMES**

WHEREAS In 2019, the Office of Racial Equity (ORE) (Ordinance No 188-19) was created as a division of the San Francisco Human Rights Commission, and

WHEREAS ORE was legislated as a means to address structural and institutional racism in San Francisco's delivery of services to the public and its own internal practices and systems and as part of a national movement to address the government's role in resolving inequitable outcomes, and

WHEREAS ORE is authorized to enact a citywide Racial Equity Framework, to direct Departments of the City and County of San Francisco to develop and implement mandated Racial Equity Action Plans, and to analyze the disparate impacts of pending ordinances, as well as various other policy and reporting functions, and

WHEREAS City departments are required to designate employees as racial equity leaders acting as a liaison to ORE, requires the Department of Human Resources to assess and prioritize racial equity with the City's workforce, and centers racial equity within the City's budget process, and

WHEREAS the Departmental Racial Equity Action Plans has directed City Departments 1) to assess current conditions in seven key focus areas (consisting of Hiring and Recruitment, Retention and Promotion, Discipline and Separation, Diverse and Equitable Leadership and Management, Mobility and Professional Development, Organizational Culture of Inclusion and Belonging, and Boards and Commissions) for all employees, especially for Black, indigenous, and people of color, 2) to identify necessary staffing and resources, 3) to hold themselves accountable by setting timely, measurable goals and commitments, 4) to intentionally address interpersonal and institutional racism within Departments, and

WHEREAS, the San Francisco Human Rights Commission states that racial equity means the systematic fair treatment of people of all races that results in equal outcomes, while recognizing the historical context and systemic harm done to specific racial groups, and

WHEREAS ORE is working to ensure diverse and equitable boards and commissions for all City departments that match the community they serve; and the community served under the San Francisco rent control ordinance consists of a broad diversity among racial, ethnic, gender, sexual orientation, age, ability, national origin, religious, health, and other populations; and the appointed board consists of two (2) landlords, two (2) tenants, and one (1) person who is neither a landlord nor a tenant and who owns no residential rental property, and an alternate for each specific member, and

WHEREAS in view of laws, policies, and institutions that have perpetuated racial inequity in our City, ORE is working with all City departments to ensure, moving forward, that the City's laws, policies, and programs do not perpetuate racial inequities within government and in community and as part of addressing this issue, are encouraging City departments to reflect upon and recognize any potential harm that structural and systemic processes may be causing to underrepresented, underserved, and marginalized communities, and

WHEREAS the Rent Ordinance was enacted to alleviate the city's housing crisis and created the Residential Rent Stabilization and Arbitration Board "in order to safeguard tenants from excessive rent increases and, at the same time, to assure landlords fair and adequate rents consistent with Federal Anti-Inflation Guidelines", and

WHEREAS the City is majority (65%) renter households and the San Francisco Planning Department has documented that Black and Latino communities have a higher rate of renting, higher housing cost burdens, more overcrowding, and are far more likely to be of low income than white residents, and

WHEREAS the racial and ethnic makeup of San Francisco residents is strongly correlated with income, residents of color are far more likely to be low- or moderate-income than white residents and segregated into neighborhoods that have less than half the incomes of segregated white neighborhoods, and lower income renters face higher incidence of eviction and housing instability and fewer housing options than higher income households, and

WHEREAS San Francisco has a long history of housing regulations and policies based on racial animosity and segregationist tactics, and with the acknowledgement that this list is by no means exhaustive, examples include but are not limited to the following:

- the 1870 Cubic Air Ordinance and 1880 Laundry Ordinance which were pushed by groups opposed to Chinese immigrants,

- assisting the federal government to forcibly remove Japanese-Americans from their homes and businesses in the city during World War II,
- the allowance, perpetuation, and continued existence of “racially restrictive covenants” in property titles which were utilized to segregate and filter out potential homeowners based on race and ethnic background.
- the practice known as 'redlining' of neighborhoods and populations through the systemic refusal of loans and financial investment and rental opportunities based on race, which led to the loss of home investment and equity growth and business entrepreneurship capacity, differing access and opportunities for renting in the City, and a disproportionately higher rate of evictions for people of color,
- predatory lending practices in the 2000s disproportionately impacting people of color which led to the foreclosure of homes, bankruptcy, and economic ruin,
- the establishment of urban renewal projects, implicit exclusionary zoning reclassifications, and economic gentrification efforts which designated such neighborhoods as 'blight' requiring demolition, the removal of homes through eminent domain, pricing people of color out of homeownership, property, and affordable base rental rates,
- the disreputable use of discriminatory advertising techniques, particularly through wholly distinct language usage and access, to bypass or mislead communities of color to availabilities for homeownership, property, and rental opportunities, and
- the disproportionate number of evictions, and threats of eviction, imposed on people of color as documented by the San Francisco Planning Department and the Mayor's Office of Housing and Community Development

WHEREAS the Supreme Court of California stated in June 2020 its Statement on Equality and Inclusion: “we must confront the injustices that have led millions to call for a justice system that works fairly for everyone. Each member of this court, along with the court as a whole, embraces this obligation. As members of the legal profession sworn to uphold our fundamental constitutional values, we will not and must not rest until the promise of equal justice under law is, for all our people, a living truth.”

WHEREAS, specifically regarding the San Francisco African-American population, Black people have the lowest homeownership rates in San Francisco at thirty-one percent, were systematically displaced and evicted by urban renewal in the 1960s and 1970s, are the most “severely cost burdened” by their housing (rent and mortgage) costs, which has led to Black families having the lowest median household income of all groups and to the steady decline of San Francisco's Black population.

THEREFORE BE IT RESOLVED that the Commission of the Rent Board joins with the San Francisco Planning Commission in acknowledging and apologizing for historical inequitable housing policies that have resulted in racial disparities, and be it

FURTHER RESOLVED that the Commission of the Rent Board believes in and strives toward an equitable department and workforce with equitable decision making at all levels, including senior leadership and judicial positions, and those serving as appointed members of the Commission, and be it

FURTHER RESOLVED that the Commission of the Rent Board believes in taking racial equity and diverse representation into consideration in all aspects of and within the Department and its Commission, with procedures and bylaws that are free of policies and language that perpetuates implicit bias, and with policy, judicial, appointment, and budgetary recommendations and decisions assessed through a racial equity lens, and be it

FURTHER RESOLVED that the Commission of the Rent Board believes in and strives toward equitable adjudication procedures within the Rent Board Department which is encouraged to examine and develop strategies to eliminate inequities as they relate to race, ethnicity, culture, national origin, religion, age, gender, sexual orientation, disability, and language barriers, while acknowledging and considering the disproportionate impacts of the justice system on people of color,

FURTHER RESOLVED that the Commission of the Rent Board strongly supports the Rent Board Department's efforts to develop and implement a Racial Equity Action Plan with measurable outcomes that will examine internal, administrative, appointment, and operational opportunities for advancing racial equity, and be it

FURTHER RESOLVED that the Commission of the Rent Board encourages the Rent Board Department to work steadfastly with ORE, the Mayor's Office, the Board of Supervisors, community stakeholders, landlord and renter associations, and other City agencies, and be it

FURTHER RESOLVED that the Commission of the Rent Board encourages the Rent Board Department to coordinate with other City departments and agencies in investigating how housing policies have historically impacted racial inequities and in developing strategies to address these within San Francisco's overall housing policy moving forward, and be it

FURTHER RESOLVED that the Commission of the Rent Board, with such encouragement to the Rent Board Department, commits to ongoing racial equity and diversity training, of which is dutifully mindful of ongoing and current issues around racial equity and diversity considerations, and be it

FURTHER RESOLVED that the Rent Board Department shall collect current commission and staff demographic data and include it in the department's annual report, and now,

THEREFORE BE IT RESOLVED that this resolution be adopted and copies of it be submitted to the Mayor, Board of Supervisors, and the Office of Racial Equity.

I hereby certify that the San Francisco Residential Rent Stabilization and Arbitration Rent Board Commission adopted the foregoing resolution at its December 8, 2020 meeting.

Christina A. Varner

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Rent Board Commission Secretary