

# Renter's Voice

## Prop M Stops Landlord Harassment of Tenants

The November ballot will be a full one this year, with a ton of propositions all competing for our attention.

There are two housing-related issues that should garner our support as tenants. One is a set-aside for affordable housing (see sidebar). The other addresses harassment and repeated buyout attempts by landlords.

At present, the Rent Board cannot do much about landlords who put pressure on tenants to accept money to leave the premises (buyouts), so that they can raise the rent. If this



initiative passes, a tenant who is being harassed or pressured to agree to a buyout will be able to file a "Decrease in Services" at the Rent Board and be compensated by a reduction in rent. The proposition gives tenants this right by adding a section to the rent ordinance addressing harassment. It also gives tenants the right to

attorney's fees in cases of illegal eviction attempts.

*To get involved in the campaign, give us a call (703-8634) or check out the info below. See also bullet points on page 4.*

## Prop B Funds More Affordable Housing

The housing justice movement, of which HRCFSF has been an active, long-term member, has set sights on a ballot measure to bring more resources for affordable housing to San Francisco. The "Affordable Housing Charter Amendment," which is on November's ballot, is backed by a grassroots campaign of housing advocates and community groups that recognize the serious need for housing affordable to our poorest San Franciscans.

Over 40 groups (and counting) back the measure. It also has the support of eight members of the Board of Supervisors. What the measure does is require a "set-aside" (continued on page 3)



### HOW TO GET INVOLVED IN THE HOUSING CAMPAIGNS

Proposition M: Anti-Harassment Ordinance  
SF Tenants Union 282-5525 [www.hrcsf.org](http://www.hrcsf.org)

Proposition B: Affordable Housing Fund  
666-0314 [sfic@pacbell.net](mailto:sfic@pacbell.net)

Public Housing Tenants &  
Section 8 Renters:  
Renters Rights Hotline  
**415-354-6353**



## FROM THE DIRECTOR

The major news to report, of course, is the solid defeat of prop 98 at the polls in June. Prop 98 would have ended rent control across the state, had it passed. Not only is this a huge success because of what it means for tenants--that they will continue to be protected from unaffordable rent increases and unfair evictions--but also because of what it represents. This victory demonstrates statewide tenant power! Through our organized struggle against this dangerous, anti-tenants rights measure, we sent the message that California renters will not stand for a roll back of their rights.

San Francisco voted "No" in a landslide. In doing so, we made it abundantly clear, once again, that we are a renter's city and that we will fight to keep it so. Congratulations and thank you to all the groups and individuals who worked so hard.

*Moving forward*, as we recover from one battle, we are on to others. At the ballot, we are pushing our own measures in November. The Anti-harassment measure (see p.1) aims to strengthen some very basic rights for tenants that have never before been spelled out and made enforceable. The Affordable Housing Charter amendment (also p.1) will create a "set-aside" fund for affordable housing that is community-controlled and allocated based on real need, not politics. Money from this fund would help not only to create more housing, but also to fund services for eviction prevention and repairs in public housing.

HRCSF has seen growing numbers of cases of renters being threatened with eviction or other housing problems due to foreclosures (see p.3). These households often don't know who their new owners (usually corporate out-of-state banks) are and how and where to pay rent. They are facing utility shut-offs and illegal eviction attempts by banks or realtors that do not understand the city's rent control laws. While the media and government officials continue to shine the light on mortgage foreclosure issues, we want to ensure that impacted renter's don't fall through the cracks. Increasingly, foreclosure is a renter's issue too. We will be working with other tenant's groups to address the problems created by the foreclosure of rental properties.

*A big shout out to the amazingly committed HRCSF staff and volunteers for all the work they do! And, as always, thanks to our members for supporting our work and making us the organization that we are.*

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## Thanks to Our Funders!

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SF Mayor's Office of  
Housing

National Housing Law  
Project

Senior Action Network



# YOUR TENANTS RIGHTS UNDER A FORECLOSURE



by Tommi Avicelli Mecca

Foreclosures are in the news a lot these days. If you are a tenant in a single-family dwelling or any other type of building, you

could end up in the predicament many renters are now finding themselves in: Your landlord has failed to keep up with the mortgage payments and has lost the place.

*What happens next?* If your place is under rent control, the answer is **nothing**. Whomever now owns the place, whether it's a bank, mortgage company or any other type of entity, is your new landlord. That entity cannot evict you without a just cause (foreclosure is not one) nor can it raise your rent more than the allowable rate (if you are under the price control part of rent control). It cannot turn off the utilities or change the terms of the lease.

It cannot bring in the police to remove you or your possessions or change the locks. It cannot change the terms of your lease.

If you live in a single-family dwelling and moved in after January 1, 1996, you are not under the price control part of rent control (your landlord can raise the rent as much as she or he wants) but you still have "just-cause" eviction protections.

If you are not under rent control, then unfortunately the new landlord can evict with just a 60-day notice (30 if less than a year's tenancy). However, you still have due process rights, meaning the landlord has to follow the legal eviction process from notice and unlawful detainer to court trial. Only the sheriff can actually remove you from the premises.

If you are a victim of a foreclosure (especially if your utilities have been shut off), call or come into our office for counseling Monday through Thursday, 1-5pm, 427 South Van Ness, 703-8644.

Remember: In SF, you have rights!

Support the work of the Housing Rights Committee.  
Help keep our services free. Stay informed on tenants issues.  
Become a member by sending \$15 or more.

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Amount \_\_\_\_\_ Renewal? \_\_\_\_\_ Phone# \_\_\_\_\_

E-Mail \_\_\_\_\_ Volunteer? \_\_\_\_\_ What times? \_\_\_\_\_

Cut out this form and mail it to HRCSF, 427 So. Van Ness SF CA 94103

# Affordable Housing Measure

*(continued from page 1)*

city budget that would be allocated towards meeting the city's affordable housing needs. Estimates are that the fund would generate between 6,000 and 7,000 new units of affordable housing over the next 15 years.

The fund will specifically target at-risk populations, such as people with AIDS, seniors, persons with disabilities, extremely low-income families, the formerly homeless, etc., who earn 30-80% of the San Francisco Family Median Income.

In addition to housing development, 25% of the money will be available to fund service programs like eviction prevention, tenant

counseling, rent subsidies and repairs for public housing units. This means that groups such as HRCSF will no longer have to sweat it out every year while praying that the City will not cut important services for renters. It also brings hope that desperately needed new programs can be created and invaluable underfunded services can be expanded.

HRCSF will be doing all we can in the upcoming months to ensure that the housing fund becomes a reality. Help us add more HRCSF energy and support to the effort by volunteering with us in the campaign! Call or email us if you can lend a hand and help make history by creating the city's first affordable-housing fund.

## Bullet points on anti-harassment measure:

- Adds the category of "harassment" to the SF Rent Ordinance.
- Allows tenants who are being harassed by their landlord to file a "Decrease in Services" petition at the Rent Board.
- Gives tenants who sue for illegal eviction attempts the right to attorney's fees.

## Housing Rights Committee of SF

*a project of the Tides Foundation*

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[www.hrcsf.org](http://www.hrcsf.org)

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