

# ORGANIZING A UNION AT HOME: SF'S NEW TENANT ASSOCIATION LAW

As of April 11, 2022, tenant associations in San Francisco in buildings with five or more units have new rights and protections. The new law—the first of its kind in the country—includes several key features that make tenant associations stronger and safer than ever before.

## 1 YOU WILL HAVE THE PROTECTED RIGHT TO FORM AN ASSOCIATION WITH THE NEIGHBORS IN YOUR BUILDING

For the first time ever, SF tenants have the legal right to "certify" an association in their building. If your building is five units or more and owned by a private landlord, then you and your neighbors are eligible to form an association using this new law. The process is simple: Submit a letter to your landlord with a majority (50%+1) of existing units signed on (just one leaseholder per unit is sufficient).

## 2 NEW PROTECTIONS FOR FLYERING, DOOR-KNOCKING, AND HOLDING TENANT MEETINGS ON-SITE

While SF tenants have had the right to flyer their buildings, tenants now have expanded rights to door-knock in their buildings, hold tenant meetings on-site in common areas and their units, and allow non-resident advocates to enter their buildings and speak with tenants about their rights.

## 3 NEW LEGAL REQUIREMENT FOR THE LANDLORD TO MEET AND NEGOTIATE WITH THE ASSOCIATION

For the first time ever in the country, a landlord whose tenants form an association has the legal obligation to "meet and confer" with the association. An association can request a meeting, decide on their own who attends (including non-resident advocates), raise issues to the landlord, present proposals to resolve those issues, and request agreements in writing.

## 4 THESE NEW RIGHTS AND PROTECTIONS BECOME CLASSIFIED AS OFFICIAL HOUSING SERVICES

Just like plumbing and heat, all these new rights—called "organizing activities" in the law—will be classified as an official housing services. This means that tenants' right to flyer, door-knock, form an association, and negotiate with their landlords are all on par with tenants' rights to working appliances and quiet enjoyment.

What topics might an association negotiate? Possibilities include:

- Building maintenance and improvements, safety, and security
- Construction projects and noise levels
- Rent levels and passthroughs
- Parking, storage, and other housing services

## 5 IF THE LANDLORD VIOLATES ANY OF THESE RIGHTS OR PROTECTIONS, THEN YOU AND YOUR NEIGHBORS ARE ENTITLED TO RENT REDUCTIONS

Instead of relying on civil court and lawsuits for enforcement, this law empowers tenants to seek rent reductions if landlords disrupt any organizing activity. Because all these rights are now housing services, a tenant association can submit a multi-unit petition at the Rent Board for rent reductions for all members—a more immediate and impactful remedy than a lengthy lawsuit.

