ONE CITY OR TWO?

REPORT

of the

SAN FRANCISCO FAIR HOUSING PLANNING COMMITTEE

for the

RACIAL, ETHNIC AND ECONOMIC INTEGRATION

OF RESIDENTIAL NEIGHBORHOODS IN SAN FRANCISCO

October 1973
to education. Housing is linked to neighborhoods and neighborhoods are affected by commerce, traffic, schools, allocation of services and by demolition and construction.

FHPC recommends that (1) the Mayor and the Board of Supervisors adopt a resolution embodying the principles and policies outlined in the recommendation on Civil Rights Review; and (2) establish a committee, with representatives from appropriate City agencies and community organizations, to draw up an ordinance based upon these principles and policies.

RECOMMENDATION NINE

9. ESTABLISH A DEVELOPMENT INCENTIVES PROGRAM

"We believe the following basic (housing) strategies should be adopted:

The supply of housing suitable for low-income families should be expanded on a massive basis.

Areas outside of ghetto neighborhoods should be opened up to occupancy by racial minorities."

--Report of the National Advisory Committee on Civil Disorders, 1968

NEW SEGREGATED NEIGHBORHOODS

FHPC also gave its attention to a phenomenon which has become increasingly prominent in recent years in San Francisco--large high rent, high priced complexes which generally take up blocks of land previously open or limited in development -- (e.g. plans for Golden Gateway, Playland, Lake Merced, the Waterfront, Homeview). The size of these housing complexes, some with shopping and recreation facilities, means that new neighborhoods are being created, segregated because of high rents or condominium prices. The effective exclusion of persons of low and moderate income and of nearly all families with more than two children results in de facto segregation--in those very areas which represent the new San Francisco.

AN ECONOMIC MIX

To meet this problem, FHPC discussed a requirement for all residential developments of a certain size to allot a percentage of units to low and moderate income rent or price levels. The precedent for such a move is well established in California and the Bay Area. Los Angeles, Petaluma, Berkeley, Marin County and Palo Alto have all adopted or are considering adoption of such a policy. It is no more innovative than zoning, height and bulk limitations or fire prevention measures must have seemed to property owners at one time.
The City Planning Department has the authority to establish stricter and more definitive guidelines so long as they do not fall below the minimum standards set by the State.

FHPC recommends that the City Planning Department and Commission consider the civil rights impact aspects of Environmental Impact Reports in making decisions about proposed projects.

RECOMMENDATION EIGHT

8. REQUIRE A CIVIL RIGHTS REVIEW OF CITY PLANS AND ACTIONS

While inclusion of the civil rights impact in Environmental Impact Reports would draw attention to the problems, FHPC feels that more effective action is needed.

PLANNING FOR CIVIL RIGHTS

Action is needed to insure that the City meets the housing and economic needs of San Francisco's residents. Activities undertaken by the private sector with the support and permission of the City should enhance the civil rights of the people of San Francisco. City plans and reports should take into consideration their effect on the rights and opportunities of the various racial, ethnic and economic sectors of the city.

BUILDING ONE CITY

Projects undertaken directly by public agencies or by the private sector which require support, permission or other entitlement from the City should meet minimum civil rights requirements in order to proceed. These minimum requirements would be based on criteria in the City's Comprehensive Plan, from the point of view of civil rights. The aim would be to change San Francisco into one integrated city with maximum choices and opportunities for all its residents.

HOUSING, JOBS, SCHOOLS, NEIGHBORHOODS

All persons within the jurisdiction of this State are free and equal, and no matter what their race, color, religion, ancestry, or national origin are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.

--Unruh Civil Rights Act of California, 1959

The recommended ordinance would establish the City's obligation to its residents to insure equitable opportunities in housing, employment, education and services. The recommendation is not limited to housing because housing is linked to employment and income; and employment is linked
RECOMMENDATION SEVEN

7. CONSIDER CIVIL RIGHTS IMPACT IN ENVIRONMENTAL IMPACT REPORTS

The remaining proposals in this section deal with de facto segrega-
gation in most recent residential construction. One of the first ideas to
emerge from the working groups was the need for a civil rights impact
statement for proposed developments. This concern arose out of the
frustration of seeing projects challenged on environmental grounds alone,
while the social needs of the City were often ignored.

Existing guidelines for the Environmental Impact Report (EIR) re-
quire the applicant to supply information of a socially significant nature,
such as rent schedules, number of bedrooms, density of land use, the pro-
ject's effect on population growth, and the economic, racial, ethnic and
age characteristics of both the existing and future populations of the
site. The City Planning Department then evaluates this information on
the basis of criteria established by State law. From the point of view
of civil rights impact, the proposed project would be judged to determine
if it would cause "potential adverse effects" on the population, specifi-
cally with regard to racial and economic segregation.

ADVANTAGES

Including a civil rights impact review in the EIR process would be
easy to implement since it relies entirely upon existing laws and pro-
cedures.

Furthermore, the EIR process itself fulfills two essential requirements
of any civil rights impact study:

(1) It has to be completed prior to the start of any work, avoiding
charges that community objections come too late to halt on-
going work, and

(2) There is allowance for review and comment by interested persons.

In addition, the EIR process provides for mitigation measures and al-
ternatives to avoid adverse effects. Consideration of the civil rights im-
pact could result in increasing housing opportunities for low and moderate
income people in a variety of neighborhoods.

CONSIDERATIONS

The key to the effectiveness of this recommendation is the commit-
ment of the City Planning Department and Commission towards the civil rights
needs of the City. Moreover, the EIR is merely an informational document
which may be considered in the decision to approve or disapprove the pro-
ject. The only requirements now are that the EIR report be accurate and
complete, not that the project be socially or environmentally beneficial.
aggressive and organized campaign was carried on in 1972 to amend the California Rumford Act to permit cities and counties to enact fair housing laws. The Board of Supervisors supported this bill as did local State legislators. The bill passed both houses of the legislature, but was vetoed by Governor Reagan.

A PRELIMINARY STEP

Faced with the likelihood of similar results in the foreseeable future, but determined to seek as effective an ordinance as possible, the Housing and Urban Development Committee of the Human Rights Commission drafted a proposal for an apartment house information ordinance which would take a preliminary step toward combating discrimination while laying the groundwork for more effective local laws when they are permitted by the state.

The purpose of this ordinance would be to accumulate data, unavailable through the Census, on the racial composition of tenants in each apartment building, which public agencies, community organizations and owners of apartment houses could then analyze and evaluate. The information would allow for pertinent annual reports by the City and County as well as for monitoring trends and patterns pursuant to remedial action.

FHPC recommends enactment of an Apartment House Information Ordinance requiring annual reports on the racial and ethnic composition of tenants and related factors.

To achieve this, the Committee supports the draft ordinance submitted to it by the Human Rights Commission and urges passage by the Commission and the Board of Supervisors. In addition, FHPC makes two additional recommendations:

(1) That the Human Rights Commission be the administrative agency for the proposed ordinance, and

(2) That the owner's policy and practice with regard to renting to families with children be included in the information required. The latter recommendation stemmed from the FHPC's concern with the problem of housing discrimination against persons with children, which has its greatest impact upon low and moderate income families who already have fewer options open to them.
RECOMMENDATION SIX

6. CONDUCT AN ANNUAL APARTMENT HOUSE INFORMATION SURVEY ON RACIAL AND ETHNIC OCCUPANCY

UNLAWFUL RACIAL DISCRIMINATION IS STILL WIDESPREAD

"It shall be unlawful ... to represent to any person because of race, color, religion, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available."

-- U.S. Civil Rights Act of 1968

Expanding housing opportunities throughout the City includes improving the enforcement of present State and Federal fair housing laws, but must go beyond these limited laws to eliminate discrimination. In fact, because of pre-emption by the State, San Francisco has not been able to enact its own legislation prohibiting discrimination in housing.

Those who suspect they have been the subject of racial, national or religious discrimination can file complaints with HUD (the federal Housing and Urban Development Department) or FEPC (California Fair Employment Practice Commission). Action by those agencies is slow and their effectiveness is limited by their restricted jurisdiction and authority.

An alternative is available through private organizations such as Operation Sentinel (dial HOU-SING) and the NAACP Legal Defense Fund which attempt to verify the facts by testers and to file lawsuits through volunteer attorneys when necessary. This has proven to be an effective remedy in individual cases, but the percentage of people willing to follow up on complaints is small, complaints which actually can be verified are few, and the legal process can stretch over months. As a result, discrimination because of race remains widespread.

AFFIRMATIVE ACTION PROGRAMS ARE NEEDED

Because existing laws and agencies are demonstrably unable to insure the equal rights of minority homeseekers, enforceable affirmative action programs are needed. As in the employment field, an affirmative action policy in housing means the private housing industry would have to adopt rental and sales procedures which would insure equal opportunity for all persons on the basis of the same standards.

STATE PRE-EMPTION

Those active in the fair housing field have long wrestled with the problem of effective action within the constraints of state pre-emption. Locally, the San Francisco Fair Housing Coalition and the Housing and Urban Development Committee of the Human Rights Commission began exploring possibilities for local initiative as far back as 1970. An
II  CITYWIDE MEASURES TO EXPAND HOUSING OPPORTUNITIES

DISCRIMINATION IS CITYWIDE

"All citizens of the United States shall have the same right, in every State and territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property."

--Civil Rights Act of 1866

Residential segregation is a characteristic of individual neighborhoods; the problem, however, is citywide in origin and impact. Any restriction of the housing market in one area means further pressures on those neighborhoods with reasonably priced and family sized units, available regardless of race or national origin. These pressures are especially acute for those ethnic minorities who find cultural ties in the City not present in the suburbs.

Discrimination in housing has also become citywide in terms of those affected by it. Unlawful discrimination on the basis of race and national origin still persists throughout the City. But since the State fair housing law was passed, discrimination based on sex, sexual orientation, marital status, children, life-style, age, occupation, employment and source of income have all become reasons for being refused housing.

Chief among these is economic discrimination, as in the form of unreasonable minimum income requirements or unreasonably high deposits or just the high rents in most new residential buildings and the increased rents in many old buildings. Senior citizens, single parents, students, members of the military, low-paid government workers, clerical employees in the City's expanding financial district, service employees in the tourist industry, workers with large families and those with fixed or limited incomes are all affected by various forms of discrimination; and the problem is compounded if the homeseeker is non-white.

In fact, discrimination in housing must be considered a priority public concern. Segregated housing patterns in San Francisco are the result of the practices and policies of the City as well as discrimination by individual property owners and managers. A commitment by the City supported by specific remedial programs can be truly effective in initiating citywide changes. Therefore, the Fair Housing Planning Committee adopted a number of resolutions recommending specific citywide action to be taken by the City and County of San Francisco.
present residential zoning classifications toward the same goals.

FHPC supports such redefinition which will insure balance in the growth of the City, protect and foster diversity in the neighborhoods, and promote the maintenance of housing at a variety of rents and prices, especially housing which individuals and families with low and moderate incomes can afford.

However, FHPC calls on the City Planning Department and Commission and the Board of Supervisors to continue to act on neighborhood requests for rezoning during its study; if neighborhood rezoning applications are prohibited or delayed during the study, FHPC asks for a moratorium on those building permits that would substantially change the character of residential neighborhoods.

RECOMMENDATION FIVE

5. SUPPORT COOPERATIVE AND CONDOMINIUM OWNERSHIP BY LOW AND MODERATE INCOME NEIGHBORHOOD RESIDENTS

FHPC recommends encouragement and assistance to cooperative and condominium ownership as a way to help low and moderate income people save money on rent, have an ownership stake in where they live, and either stay in their neighborhood or find decent housing they can afford in a neighborhood they want to move to. The cooperative ownership we have in mind is a few people or two or three families or groups of people getting together to buy a 2-flat or 3-flat building, a small apartment building or large house to live in. This is beginning to happen in the City.

FHPC recommends that an appropriate City agency be directed to guide individuals interested in converting to co-ops or condominiums, and neighborhood organizations interested in helping them.

FHPC also recommends that the City help establish and fund a citywide non-profit corporation with a board of directors representative of the neighborhoods and working closely with interested neighborhood organizations, to help low and moderate income tenants in the technical and financial procedures of buying homes on a cooperative basis.
FHPC also recommends that an appropriate city agency be directed to secure information for the public in regard to FAIR Plan and to advise on its findings concerning insurance practices in the various neighborhoods of the City.

RECOMMENDATIONS THREE AND FOUR

3 & 4. SUPPORT REZONING AND REDEFINE RESIDENTIAL ZONING CLASSIFICATIONS TO PRESERVE AND EXPAND NEIGHBORHOOD INTEGRATION AND HOUSING OPPORTUNITIES

"Woe unto those who join house to house, Who add field to field, Until there is no more room..."

--Isaiah, Chapter 5, Verse 8

The denser the development permitted by zoning, the more "valuable" the land becomes. As a result, assessments are increased on single-family homes and flats, which are appraised at their potential, rather than their present use, and their property taxes increase. Developers press their owners into selling so they can convert the characteristic lower rent/lower priced housing into high-priced non-family condominiums or rentals or commercial uses. Residents are pushed out.

Neighborhood organizations have recognized this attack on the life of their neighborhood. Several have applied with success to the City Planning Department for downzoning to preserve the character of their neighborhood and save its lower rent and lower priced housing.

On the other hand, some communities want higher density zoning in portions of their neighborhood to increase the supply of lower rent/lower priced housing.

FHPC supports the efforts of neighborhood organizations in securing rezoning in their neighborhoods for these reasons and asks the City Planning Department and Commission and the Board of Supervisors to be responsive to such neighborhood requests.

FHPC has prepared a Working Paper on the steps a neighborhood organization should take to apply for rezoning.

At the same time, City Planning Department representatives requested FHPC to support the Department's desire to study the redefinition of
In brief summary, a RAP program should be large enough and fast enough to serve all neighborhoods in greatest need before it is too late. The program should be planned and carried out with the participation of the organizations and residents of the neighborhood. The program should be carried out on a neighborhood scale, together with a program of neighborhood improvements. The program should offer as low interest rates on loans as possible, and grants to those who cannot manage loans. The program should include limitations on rent increases which are fair to both owners and tenants. It should deter the displacement of tenants and include financial and other assistance to tenants who are actually displaced. Property owners benefiting by this program should be required to establish maintenance reserves so buildings continue to be kept in good condition after rehabilitation. Contractors should be included in the City's non-discriminatory employment code.

A Resolution and Guidelines was adopted by the Board of Supervisors on June 18th 1973 and signed by the Mayor on June 22nd, authorizing the City to establish such a RAP (Rehabilitation Assistance Program). The Resolution and Guidelines were drawn up by City officials and community representatives working together in concurrent meetings of City departments and FHPC. An ordinance to establish RAP will be heard by the Board of Supervisors shortly.

**RECOMMENDATION TWO**

2. **IMPROVE RESIDENTIAL INSURANCE POLICIES AND PRACTICES**

The "redlining" of neighborhoods either by racial or economic boundaries is common knowledge to all, but not acknowledged by insurance companies. Property owners who are refused conventional insurance coverage are eligible for FAIR Plan coverage. This gives them less coverage, though at no decreased premium.

FHPC's efforts to get information about insurance policies and practices from insurance industry representatives met with incomplete and inadequate answers.

FHPC recommends that the City seek State legislation to change FAIR Plan insurance to conventional coverage at standard bureau rates, and to increase the brokers commission on FAIR Plan policies to the same level as on conventional insurance.

FHPC also recommends that discrimination in residential insurance based on sex and marital status be prohibited by law, as it is on the basis of race and national origin.
On the other hand, a wall of racial, ethnic discrimination and economic disadvantage blocks the opportunity of many minority people to move out into neighborhoods of their choice. And in addition, neighborhood disruption by both governmental and private development often decreases the supply of family homes and flats, and of housing that poor and moderate income people can afford. Thus, many minority families can not even attempt to move into predominantly white neighborhoods; they are sometimes forced out of neighborhoods which had begun to become integrated; some have to leave the City or crowd into neighborhoods already of poor or of minority concentration.

Some people become alarmed at neighborhood concentrations of poor or minority people, but not at concentrations of whites or the well-to-do. But the concentration of the whites and the well-to-do makes inevitable the concentration of the poor and minorities.

In the United States the theory is that poor people don't have to be poor all their lives and that every child and every man and woman has an equal opportunity. If this were so in actuality, one would expect that every resident of San Francisco would have an equal chance to live in any neighborhood of his choice. And if this were so, one would expect that, by and large, every neighborhood in San Francisco would be open to all residents, without regard to racial, ethnic, or economic category.

The racial and ethnic composition of San Francisco is approximately 57% white (non Spanish-speaking) and 43% minorities (14% Spanish-speaking, 14% Asian, 13% Black, and 2% Other Non-White), according to the 1970 U.S. Census.

But as seen in the Table on the racial and ethnic distribution of population by Planning District, the percentage of racial and ethnic groups varies considerably from one neighborhood to another.

To preserve and expand housing opportunities in all neighborhoods of the City, FHPC makes the following recommendations.

RECOMMENDATION ONE

1. ESTABLISH A REHABILITATION ASSISTANCE PROGRAM (RAP) WHICH INCLUDES SAFEGUARDS FOR RESIDENTS

"Officials were late to accept the fact that the passage of housing codes, which are essentially laws stating that everyone should live in good housing, were meaningless if not everyone could afford such housing."

---A Decent Home, President's Committee on Urban Housing, 1968
NEIGHBORHOODS ARE PEOPLE

When people choose where they want to live, they choose the
neighborhood they want to live in. But the choices of minority people
are restricted by racial, ethnic and economic discrimination and other
barriers.

Some people consider neighborhoods as real estate for speculation.
Some people consider neighborhoods in terms of property values, tax re-
venues, and making money from the residents. In real estate language,
"the highest and best use" of land is the use that brings the highest
income to the owner and his agents.

But to neighborhood residents, a neighborhood is babies being
born and children growing up and people living their lives and growing
old -- together. Even the dictionary definition of neighborhood is:
"neighborly relationship, the quality or state of being neighbors, the
people living near one another, a section lived in by neighbors and
usually having distinguishing characteristics."

For San Francisco residents, San Francisco is characterized by its
neighborhoods.

The City Planning Department has divided the City for planning
purposes into 15 Planning Districts (see map). Within each Planning
District are many smaller neighborhoods, with colorful, descriptive,
and historic names like Alcatraz Heights, the Avenues, Bret Harte, China-
town, Cow Hollow, Dogpatch, the Fillmore, Hunters Point, Jordan Park,
Little Hollywood, Manhattan, the Marina, the Mission, Ocean View, Polk
Gulch, Presidio Terrace, South Park, South of the Slot, etc.

PRESSURES THAT LIMIT HOUSING OPPORTUNITIES

"The practice of discrimination because of race,
color, religion, national origin, or ancestry in
housing accommodations is declared to be against
public policy.

--Rumford Fair Housing Act of California, 1963

People who are poor, people who are discriminated against in jobs and
opportunities, have the least choices in our society. The poorer people
are, the more they need a survival network of neighborhood friendships, com-
mon language and culture. They need sources of food, clothing, medical
care, housing, and transportation they can afford. All these factors
limit housing opportunities.
The Richmond District had 78,000 residents in 1970. Sixty-four percent were white, 23% Asian, 4.5% Black and 7.3% Spanish surname. It is primarily a middle class neighborhood, of predominately single family and small multi-unit houses. However, starting in the mid-sixties, private developers began tearing down the single family homes and duplexes and building large apartment houses. From 1960 to 1972 there was a net loss in the Richmond of 364 single family homes and 36 duplexes or triplexes, while there was a net gain of 327 apartment houses of 5 or more units (Housing Inventory, 1969-72).

The Western Addition, in some ways, is almost the opposite of the Richmond. Its 47,500 residents are predominately Black (48%) and Asian (9.2%). Whites make up 36% of its population, concentrated mainly in the northern and eastern sections of the district.

The Western Addition has been the most redeveloped of all redevelopment areas in the City. Fully 2,600 dwelling units have been demolished since 1960, nearly all by the Redevelopment Agency. Moreover, for many years demolition far outpaced new construction. As in the Richmond, many of the structures demolished have been single family dwellings and 2 and 3 unit buildings.

From 1960 to 1972 there has been a net loss of 138 single family homes and 272 2 and 3 unit buildings (360 units) in the Western Addition. During the same period there has been a net gain of 1,753 units in buildings of 5 or more units (Planning Department Inventory 1968-72).

Unlike the Richmond, the Western Addition has been totally transformed. Thousands of people have been moved in and out of the community. Its main shopping street, Fillmore, has been totally destroyed as a community focus and the long discussed Fillmore Center has as yet to see the light of day. Minority communities are more thoroughly "redeveloped" than are middle class ones.

In both examples, the citywide trend has not resulted in more integrated neighborhoods. Rent levels in the multi-unit-for-profit complexes are such that poor and many minority people would have great difficulty affording the new apartments. Most of the publicly built complexes in the redevelopment area have not resulted in lower rents.

Thus the housing trends of the sixties of both private developers and City agencies to replace smaller, resident-owned dwellings with large, dense, oftentimes corporate owned, housing complexes tend to perpetuate and in some cases, make worse residential segregation in San Francisco.

"The Nation's top priority must be to vastly increase the production and improvement of housing available to low-and-moderate-income families and persons. An adequate supply, widely dispersed, is the key to all other improvements."

--More Than Shelter, National Commission on Urban Problems, 1968
Higher Rents

The argument that multi-unit buildings are an inexpensive way in which to meet San Francisco's housing needs, depends upon what side of the rent check you find yourself.

According to the Department of City Planning's 1972 Housing Inventory, the average cost for a 10-19 unit apartment building was $234,618 and for a 20 or more unit apartment building, $1,092,289. Obviously, such sums are beyond the reach of most individual San Francisco residents. The Department of City Planning Housing Survey done in 1969 implies that most large apartment buildings are owned by stock companies or "non-local corporate" owners.

Government guidelines generally state that paying more than 25% of income for rent constitutes "over-paying" and is a measure of serious housing crisis. In a study of 1970 Census figures, done by the City Planning Department for FHPC, it was found that 47% of all renters in San Francisco paid 25% or more of their income for rent.

Thus, the cost of living in, as opposed to the cost of developing, multi-unit apartments is far from inexpensive for a sizable number of San Francisco's tenants.

The Needs of Residents or the Needs of Business

Finally, the argument of San Francisco's economic role as a "corporate head office" is usually developed in this fashion: since the end of World War II, manufacturing and port-related activity have decreased; therefore, San Francisco must develop as a metropolitan commercial area and corporate service center. Thus, San Francisco must accommodate new residents from outside, young professional and business men and women, administrators and executives.

The dramatic shift toward large housing complexes seem designed to meet the needs of San Francisco's commercial and business interests and not necessarily of its resident population.

EXAMPLE: TWO NEIGHBORHOODS

What impact does this shift have on San Francisco's neighborhoods?

Both the private and the public sector in San Francisco have, over the last 12 years, placed increasing emphasis on large multi-unit housing complexes. And neighborhood after neighborhood has felt itself being disrupted by both public and private policies and has tried to defend its own community.

Two areas of the City will be examined as examples -- The Richmond and the Western Addition.
Yet, the primary result of City action since 1960 has been, either by use of Federal housing funds or with the cooperation of key City agencies (the Planning Commission and the Board of Supervisors), to foster the development of large, dense multi-unit housing complexes at an increasing rate.

From 1960 to 1968, according to City Planning Department figures, 75% of all new housing units built were in apartments of 5 or more units; 35% were in buildings of 20 units or more.

From 1970 to 1972, 44% of all new units built were in buildings of 20 or more units. At the same time, nearly 50% of all demolitions in the City were of single family, duplex or triplex buildings. From 1967 to 1971, 58% percent of these demolitions, according to the City Planning Department, were the result of public action (1,881 of 3,236 units).

Three reasons are advanced for this shift toward higher density housing construction:

First, "the City lacks sufficient vacant land to build the increased number of new single family dwellings needed to accommodate families with children" (CRP, page 7).

Second, "the City's 'corporate head office' role ...(and) the changing characteristic of the City's work force" (Department of City Planning, Survey of Housing, 1969, page iv).

Third, "as density of structures increases, unit costs tend to decrease" (Department of City Planning, 1972 Housing Inventory, 1973, page 10).

What impact does this shift in the housing supply have on San Francisco's neighborhoods and the City's policy to integrate, both racially and economically, those neighborhoods? To what extent does this shift toward large multi-unit housing represent a governmental response to the housing needs of San Francisco's residents, as opposed to the accommodation of corporate, commercial and business needs?

**Decreasing Population**

The shortage of land does not seem a convincing argument, since there are fewer people living in San Francisco now than in 1950. The CRP projected (in 1965) that by 1978 San Francisco would have 850,000 residents. The 1969 Department of City Planning Housing Survey projected approximately 750,000 residents by 1970. But, according to the City Planning Department's 1970 Census Summary and Analysis, San Francisco's population declined from 1960 to 1970 by 24,642 persons; and according to the California State Finance Department, on July 1, 1973, San Francisco had 681,000 residents, some 32,000 fewer than the 1970 Census.
whether they live in the more affluent western or the poorer eastern half of the City.

Below are Department of City Planning figures on the number, percent and type of housing in San Francisco in 1960 and 1972:

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<thead>
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<th>Type</th>
<th>1960</th>
<th>1972</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. of Units</td>
<td>No. of Units</td>
</tr>
<tr>
<td>Single family</td>
<td>110,236</td>
<td>102,804</td>
</tr>
<tr>
<td>2-units</td>
<td>37,973</td>
<td>40,144</td>
</tr>
<tr>
<td>3-4 units</td>
<td>31,546</td>
<td>32,241</td>
</tr>
<tr>
<td>5 or more units</td>
<td>130,781</td>
<td>135,246</td>
</tr>
<tr>
<td></td>
<td>310,536</td>
<td>310,435</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Type</th>
<th>1960</th>
<th>1972</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Percent</td>
<td>Percent</td>
</tr>
<tr>
<td>Single family</td>
<td>36</td>
<td>33</td>
</tr>
<tr>
<td>2-units</td>
<td>12</td>
<td>13</td>
</tr>
<tr>
<td>3-4 units</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>5 or more units</td>
<td>42</td>
<td>44</td>
</tr>
<tr>
<td></td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>

Two trends are immediately apparent. First, single family dwellings, the traditionally ideal American home, decreased by 7,432 while the number of dwelling units in 5 or more unit apartment houses increased by 4,465. Second, there was virtually no change in the total housing supply over the 12 year period (in fact, a net loss of 101 units).

San Francisco has always had a high percentage of rental households. The Community Renewal Program pointed out: "This situation poses a potential problem since experience indicates that housing standards in rental structures tend to be lower than in owner occupied structures. Persons who own the homes in which they live are more likely to maintain them well than are absentee landlords likely to so maintain their rental properties".

**INCREASING RATE OF HIGH DENSITY HOUSING**

"In many urban communities, the net effect of public land policies is to reduce the supply of land available for modest-cost housing and thus to increase its cost."

---

*A Decent Home, President's Committee on Urban Housing, 1968*
B. HOUSING PROBLEMS? SEGREGATION AND DISCRIMINATION IN SAN FRANCISCO

ONE CITY OR TWO?

"This is our basic conclusion: Our Nation
is moving toward two societies, one black,
one white -- separate and unequal."

-- Report of the National Advisory
Committee on Civil Disorders, 1968

The western half of the City -- the Marina, Richmond, Sunset,
Ingleside (see map of Planning Districts) -- differs profoundly from
the eastern half, from the perspective of income, segregation, ability
to afford adequate housing, and general quality of neighborhood amenities.

The western neighborhoods had 38% of the City's population in 1970.
While 73% of the area was white non-minority, only 11% were Asian, 6.7%
Black and 7.6% Spanish speaking.

In 1968, the western Planning Districts contained 55% of the City's
single family homes (61,489 of 112,341). According to the 1970 Census,
the average household income for the western neighborhoods was $11,360;
while for the eastern neighborhoods it was $7,272 -- nearly $1,500 below
the citywide average of $8,752.

Again from 1970 Census figures, while people in the western neigh-
borhoods paid an average of 17% of their income for a residence that
averaged 5 rooms, people in the eastern neighborhoods paid an average of
19% of their income for a 3.5 room residence. (These are averages of
averages and thus tend to flatten out variations.) In four of the
Planning Districts in the eastern half of the City -- the Mission, Buena
Vista, Downtown and the Western Addition -- people paid an average of
22% of their income for an average 2.7 rooms.

Thus, a tendency in San Francisco's housing patterns noted in 1965
by the Arthur D. Little report titled "Community Renewal Program" (CRP)..."to segregate racial and ethnic minorities forces these groups to pay an
inordinate proportion of their income for housing" (CRP, page 8) -- is
ture today.

COMMON PROBLEMS EAST AND WEST

Individual discrimination accounts for only part of the problem facing
San Franciscans seeking safe and decent housing. Equally important are
private and public housing practices. Here, too, a difference is observable
between the eastern and western halves of the City in terms of who builds
what for how much.

Most important is that for all of San Francisco's residents, housing
and its impact on their neighborhoods is becoming a common problem of concern,
Note on Census Data

Much of the data in this report is based on the U.S. Census. However, housing data in the Census are based on samples. Both the size of the sample and the size of the universe sampled affect the accuracy of estimates. Also, minorities are underestimated in Census data, because some minority people are reluctant to give the information and because the Census Bureau has an inadequate mechanism for acquiring information. Nonetheless, Census data are the best estimates we have.
<table>
<thead>
<tr>
<th>PLANNING DISTRICT</th>
<th>WHITE</th>
<th>BLACK</th>
<th>ASIAN</th>
<th>SPANISH</th>
<th>OTHER</th>
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<td>2. MARINA</td>
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<tr>
<td>3. NORTHEAST</td>
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<td>1.2%</td>
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<tr>
<td>4. DOWNTOWN</td>
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<td>6. BUENA VISTA</td>
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<td>8. MISSION</td>
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<td>12. SOUTH CENTRAL</td>
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<td>4.3%</td>
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</tr>
<tr>
<td>14. INNER SUNSET</td>
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<td>1.9%</td>
<td>8.4%</td>
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<tr>
<td>15. OUTER SUNSET</td>
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<td>8.5%</td>
<td>8.6%</td>
<td>1.6%</td>
</tr>
</tbody>
</table>

SAN FRANCISCO
CITY TOTAL       | 57.2% | 13.3% | 13.6% | 14.1%   | 1.8%  |

This Table was prepared for FHPC by the National Committee Against Discrimination in Housing (NCDH), from 1970 Census figures.
phasized that in key areas, State, Regional and National policies must be changed if San Francisco's attempts are to be fully realized.

For example, the question of fair and adequate property insurance coverage for minority and low income people, although of critical importance to any workable plan of integration in housing, requires State action. The inequities in the law facing all tenants must finally be resolved at the State level. The question of open housing legislation has been pre-empted by the State, barring local initiatives. This must be changed by State legislation.

State and local governments have permitted the Federal government to determine housing policies and funding, which means that Federal cutbacks in spending curtail local initiatives for safe and decent housing.

While far more can be done at the local level than is currently being done to insure all San Franciscans housing of their choice, none the less, it is fully realized by FHPC that State, Regional, and Federal policies must also change.

The best way to achieve these changes is for the City to press State, Regional & Federal agencies to be in the forefront of innovative local solutions to housing problems. If the City does this, more San Franciscans will support and demand that change.

"Federal programs to improve housing conditions for low-and moderate-income families and persons have failed in quantitative terms...

The principal cause of failure has been an absence of national and local commitment."

-- More Than Shelter, National Commission on Urban Problems, 1968
WHY STRESS NEIGHBORHOOD INTEGRATION

FHPC was charged with presenting to the Board of Supervisors a practical and workable plan for neighborhood integration. In large measure, this was understood to mean that FHPC would ask the City to develop plans and policies which could be supported and controlled by neighborhood organizations and which would result in the closing of the gap between have and have-not areas of the City.

But by far the basic reason for the emphasis on neighborhood instead of individual integration was that neighborhoods should be made more permanent, more enduring. To push for programs which lay stress on individuals is to miss the primary problem. Individuals may come and go, but a neighborhood, its homes, shops, schools and parks should always be with us. It is real; it's right in front of us; it's community.

Some people hold that the answer to the problems that face San Francisco and other urban areas can be found in a host of separate programs, aimed at individual problems. If we only had more housing projects for older folks, or if we only had more projects for young married couples, or if we only had more low income projects, etc. Such fragmentary "solutions", as can be seen in San Francisco, simply don't work.

What is needed is all these things, but not compartmentalized, not in distinct, self-contained "planned unit developments", but mixed and blended in mutually supportive closeness—in short, in a community of neighborhoods where diversity flourishes and a new sense of mutual respect, need and love can grow.

Neighborhoods were, therefore, thought worth preserving, as well as being the most practical unit within which programs could be shaped to meet the needs of resident San Franciscans.

THE NEED FOR ACTION AT ALL LEVELS OF GOVERNMENT

"The Congress hereby declares that the general welfare and security of the Nation and the health and living standards of its people require housing production and related community development sufficient to remedy the serious housing shortage, the elimination of slums and blighted areas, and the realization as soon as feasible of the goal of a decent home and suitable living environment for every American family..."

Housing Act of 1949

FHPC sought to fulfill its charge of preparing a comprehensive plan for the racial and economic integration of San Francisco neighborhoods by laying stress on what could be practically done now by the Board of Supervisors, the Mayor, and other City agencies. However, it must be em-
MEETINGS AND STYLE OF WORK OF FHPC

At its first meeting on the 21st of February 1973, the immensity of FHPC's task was clear to all. It was generally agreed that while no final action could be taken on a proposal until it had been fully discussed by the entire Committee, working groups made up of Committee members and others interested in the particular topic would do the research and formation of proposals. Draft proposals by the working groups would then come before the full Committee for discussion, changes, and adoption or rejection.

By April 21st working groups were formed and functioning. The ideas these groups were working on finally fell into three broad categories:

1. Neighborhood Measures to Preserve and Expand Housing Opportunities.
2. Citywide Measures to Expand Housing Opportunities.

This form proved very workable; by the 16th of May meeting, the first draft working paper (on a residential improvement loan program) was discussed and adopted in its final form at the 30th of May meeting.

The general style of FHPC's working groups was first hand investigation and research. All of FHPC's active members had had practical experience with housing problems. Each brought to the working groups experience and an ability to find out new information. The working groups included representatives of City departments and resource people from community agencies. In addition, they interviewed additional specialists from City departments and private life.

Once a draft resolution was prepared by a working group, it was mailed to FHPC members prior to its presentation at a full Committee meeting. At the full Committee meeting, the topic was thoroughly debated and was either adopted (with or without revisions) or sent back to the working group to incorporate more extensive suggestions made by Committee members.

FHPC comprised a broad cross-section of representation, interests and opinions. Therefore, not every member agreed with every word of every recommendation exactly as it was adopted, and various members were more interested in some recommendations than in others. However, each of the Sixteen Recommendations was adopted with the overwhelming support of the full Committee.

By May, it was obvious that the full Committee would have to meet twice a month (instead of monthly) to deal properly with the volume of work generated by the working groups. This it did through May, June, July, August, and September.
INTRODUCTION

A. THE FAIR HOUSING PLANNING COMMITTEE

On the 13th of November 1972, the Board of Supervisors unanimously passed a Resolution establishing the Fair Housing Planning Committee. The Board gave the Committee six months from the date of its first meeting to "develop a comprehensive plan for the racial, ethnic, and economic integration of residential neighborhoods in the City and County" (see copy of Resolution).

A year before, in November 1971, Supervisor Terry Francois had requested the Board of Supervisors to inquire into the question of whether the redevelopment programs in the Western Addition and Hunters Point were likely to produce new segregated racial ghettos.

Neighborhood organizations and the National Committee Against Discrimination in Housing (NCDH) quickly pointed out that nearly every neighborhood in the City was suffering not only from racial segregation, but also from economic segregation. The neighborhood groups, NCDH and Human Rights Commission staff then met and agreed that what was needed was a Committee, charged by the Board of Supervisors and made up of people with first-hand experience in housing and social problems of the neighborhoods, to study and plan a practicable course of action toward economic and racial integration of all neighborhoods in the City.

COMPOSITION OF FHPC

After a series of hearings by the Board of Supervisors, a list of organizations was agreed to which included 25 community organizations which had demonstrated an interest in fair housing and 10 public agencies (see membership list of FHPC).

Twenty-five community members were selected by the Mayor's Office after being nominated by their respective organizations. These community members came from nearly every neighborhood in the City. The occupations of the community members included: architect, planner, urban economic analyst, housing specialists, real estate agents, community workers, housewives, retired persons, advertising person, student teacher, and clergyman. Of the 25 community members, 16 were men and 9 were women; 13 were 18 to 35 years of age, and 12 were over 35 years old. There were six Black, 3 Spanish surnamed, 1 Filipino, 1 Japanese, 2 Chinese, and 12 Caucasians. It was one of the most successfully "cross-sectioned" committees ever formed by the City.

Most importantly, the community members brought much first-hand knowledge and dedication to the task at hand. In every way, the final report owes everything to the hard work of the entire Committee; especially, it owes most to the dedication of the unpaid community members.
9. 成立一項發展動機計劃，在發展大規模的住宅中，供給一部分單位給下及中等入息居民。
　七/十八
10. 研究可否運用購置流動房屋，解決住屋問題。
　八/十五
11. 設立一個地庫，及將適合的公地優先用來建築下及中等入息居民房屋。
　八/十九
12. 委派能反映本市住屋需要的人選出任城市設計委員會。
　八/二十五

三 更公平之房客與房東關係

13. 改善州立房客與房東法律；在未做到這點之前，勿成立一個特別房屋法庭。
　八/四十五
14. 除掉租屋上有孩子問之歧視。
　八/四十五
15. 補償因私人拆樓被遷徙的住客。
　八/四十九
16. 成立一個租務申冤局，調停對過甚加租之控訴。
　八/四十五
使三藩市各街坊能在種族、民族及經濟上混合之正式採納提議之目錄

一 保存及擴展住屋機會之街坊策略

1. 成立一個樓宇重修援助計劃（RAP），其中包括對居民的保障。 五/三十
2. 改善住屋保険政策與實施。 八/十五
3. 支持更改地區地用法，以保存及擴展街坊混合和住屋機會。 六/二十
4. 為同樣目的，修訂住宅區地用分類。 八/十五
5. 支持使下及中等入息居民，能購買分層擁有樓宇和合股擁有樓宇。 八/十五

二 擴展住屋機會之全市策略

6. 推行一項每年性的柏文房屋調查，收集各種族及民族住客的消息。 六/二十
7. 在「衝突環境與否」報告中，加入「衝突民權與否」一項。 八/十五
8. 要求凡城市計劃之行動，須受民權審閱。 八/十五
III. RELACIONES MÁS EQUITATIVAS ENTRE INQUILINOS Y PROPIETARIOS

13. MEJORAR LAS LEYES ESTATALES ENTRE INQUILINO Y PROPIETARIO; NO ESTABLECER NINGUNA CORTE ESPECIAL DE LA VIVIENDA HASTA QUE ESTAS LEYES NO SEAN MEJORADAS

14. ELIMINAR DESCRIMINACIÓN CONTRA NIÑOS EN LA VIVIENDA

15. COMPENSAR A LOS INQUILINOS DESALOJADOS POR DEMOLICIONES EN SECTORES PRIVADOS

16. ESTABLECER UNA OFICINA QUE ARBITRE LAS QUEJAS DE AUMENTO EXCESIVO DE RENTAS
LISTA DE RECOMENDACIONES OFICIALMENTE ADOPTADAS

Para integración Racial, Económica y Cultural
de los vecindarios de La Ciudad de San Francisco

I. MEDIDAS PARA INCREMENTAR Y PRESERVAR LAS OPORTUNIDADES
DE VIVIENDA EN EL VECINDARIO

1. ESTABLECER UN PROGRAMA QUE ASISTA LA REHABILITACIÓN
Y EL CUAL INCLUYA PROTECCIÓN A SUS RESIDENTES

2. MEJORAR LAS POLIZAS DE ASEGURADOS RESIDENCIALES Y
MEJORAR LA APLICACIÓN DE LAS MISMAS

3. APOYAR EL CAMBIO DE ZONAS PARA CONSERVAR E
INCREMENTAR LAS OPORTUNIDADES DE VIVIENDA E
INTEGRACIÓN DE EL VECINDARIO

4. REDEFINIR LA CLASIFICACIÓN DE ZONAS RESIDENCIALES
CON EL MISMO PROPOSITO

5. APOYAR LA COMPRA DE CO-OPERATIVAS Y CONDOMINIOS
POR RESIDENTES DE VECINDARIOS DE INGRESOS BAJOS
Y MODERADOS

II. MEDIDAS PARA INCREMENTAR OPORTUNIDADES DE VIVIENDA
DE LA CIUDAD EN GENERAL

6. CONDUCIR UN SENO ANUAL EN CASAS DE APARTAMENTOS,
CON RELACIÓN A SU OCUPACIÓN RACIAL Y CULTURAL

7. INCLUIR EL IMPACTO DE LOS DERECHOS CIVILES
EN EL REPORTE DE IMPACTO SOCIO-CULTURAL

8. EXIGIR UNA REVISCION DE LOS DERECHOS CIVILES
DE LOS PLANEYS ACCIONES DE LA CIUDAD

9. ESTABLECER PROGRAMAS QUE ESTIMULEN LA CONSTRUCCION
PROPORCIONADA DE UNIDADES DE RENTA BAJA Y MODERADA
DENTRO DE LAS GRANDES CONSTRUCCIONES RESIDENCIALES

10. INVESTIGAR LAS VENTAJAS DEL USO DE
CASAS-MÓBILES PARA ComprarLASS

11. ESTABLECER UNA RESERVA DE TERREMOS PUBLICOS
PARA VIVIENDA DE RENTA BAJA Y MODERADA

12. HACER INDICACIONES A LA COMISION DE PLANIAMENTO
DE LA CIUDAD QUE REFLEJE LA NECESIDADES DE
VIVIENDA EN LA CIUDAD

(continua)
CHECKLIST OF RECOMMENDATIONS OFFICIALLY ADOPTED
For the Racial, Ethnic and Economic Integration
of San Francisco's Neighborhoods

I Neighborhood Measures To Preserve and Expand Housing Opportunities

1. ESTABLISH A REHABILITATION ASSISTANCE PROGRAM (RAP)
   WHICH INCLUDES SAFEGUARDS FOR RESIDENTS

2. IMPROVE RESIDENTIAL INSURANCE POLICIES AND PRACTICES

3. SUPPORT REZONING TO PRESERVE AND EXPAND
   NEIGHBORHOOD INTEGRATION AND HOUSING OPPORTUNITIES

4. REDEFINE RESIDENTIAL ZONING CLASSIFICATIONS FOR THE SAME PURPOSE

5. SUPPORT COOPERATIVE AND CONDOMINIUM OWNERSHIP
   BY LOW AND MODERATE INCOME NEIGHBORHOOD RESIDENTS

II Citywide Measures to Expand Housing Opportunities

6. CONDUCT AN ANNUAL APARTMENT HOUSE INFORMATION SURVEY
   ON RACIAL AND ETHNIC OCCUPANCY

7. INCLUDE CIVIL RIGHTS IMPACT IN ENVIRONMENTAL IMPACT REPORTS

8. REQUIRE A CIVIL RIGHTS REVIEW OF CITY PLANS AND ACTIONS

9. ESTABLISH A DEVELOPMENT INCENTIVES PROGRAM FOR A PROPORTION OF
   LOW AND MODERATE INCOME UNITS IN LARGE RESIDENTIAL DEVELOPMENTS

10. INVESTIGATE THE USE OF MOBILE HOMES FOR OWNERSHIP

11. ESTABLISH A LAND BANK WITH PRIORITY
    OF SUITABLE PUBLIC LAND FOR LOW AND MODERATE INCOME HOUSING

12. MAKE APPOINTMENTS TO THE CITY PLANNING COMMISSION
    REFLECTIVE OF THE CITY'S HOUSING NEEDS

III More Equitable Tenant-Landlord Relations

13. IMPROVE STATE TENANT-LANDLORD LAW;
    DON'T ESTABLISH A SPECIAL HOUSING COURT UNTIL THIS IS DONE

14. ELIMINATE HOUSING DISCRIMINATION AGAINST CHILDREN

15. COMPENSATE TENANTS DISPLACED BY PRIVATE SECTOR DEMOLITIONS

16. ESTABLISH A RENT GRIEVANCE BOARD
    TO ARBITRATE COMPLAINTS OF EXCESSIVE RENT INCREASES
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ONE CITY OR TWO?

REPORT
of the
SAN FRANCISCO FAIR HOUSING PLANNING COMMITTEE
for the
RACIAL, ETHNIC AND ECONOMIC INTEGRATION
OF RESIDENTIAL NEIGHBORHOODS IN SAN FRANCISCO

"Patterns of residence have developed over a period of decades in which government at all levels and private industry combined to establish a racially dual housing market -- separate and unequal. The problem facing us now is not merely to end current discriminatory practices, but also to eliminate the effects of past discrimination and reverse the residential segregation that now exists."

--Understanding Fair Housing, 1973
U.S. Commission on Civil Rights

SAN FRANCISCO FAIR HOUSING PLANNING COMMITTEE
1095 Market Street, Suite 501  433-1374

October 1973
INCENTIVES OR REQUIREMENTS

Should developers be expected to assume the economic burden of including low and moderate income rents or prices without some form of compensation? Should developers be permitted to build in San Francisco at all, if their developments do not meet San Francisco's needs, do not provide equal opportunity, but create new segregated areas? FHPC decided to combine both a voluntary and a mandatory program.

FHPC recommends that the Board of Supervisors adopt a policy offering a series of development incentives to housing developments of 50 units or more, whose owners, developers and sponsors agree to make available a certain proportion of the dwelling units over a certain period of time at rentals and prices which low and moderate income persons can afford. However, if a developer does not voluntarily enter the incentive program, then a mandatory percentage allocation of low and moderate income units would be required.

Suggested incentives include but are not limited to variances in maximum floor space, land coverage, height limits, density of off-street parking, setback requirements, tax incentives, and assistance in the costs of financing. The number and degree of incentives would depend on the extent of low and moderate income units agreed to by the developer, as well as on ecological and environmental considerations.

RECOMMENDATION TEN

10. INVESTIGATE THE USE OF MOBILE HOMES FOR OWNERSHIP

In the face of a severe shortage of reasonably priced decent housing in San Francisco, especially for home ownership, and of the high costs and lengthy time period of building, FHPC discussed the possibility of utilizing mobile homes together with conventional housing on appropriate sites. While taking no position on the desirability of mobile homes, FHPC recommends that further investigation and study be undertaken in this field as a means of providing low and moderate income housing. A working paper on comparative costs and considerations of mobile homes was prepared for FHPC.

RECOMMENDATION ELEVEN

11. ESTABLISH A LAND BANK

All previous recommendations in this section depend upon some degree of cooperation between the public and private sectors. There is one action failing entirely within the jurisdiction of the City which would have a dramatic impact upon residential integration in San Francisco -- use of appropriate public land for low and moderate income housing.
The price of land in San Francisco effectively precludes building low and moderate units outside of areas already impacted with them; if appropriate public lands are used, development costs could be lowered by transferring the land free or at reduced prices.

Such a proposal is not new; it was part of the City Planning Department's Improvement Plan for Residence; the legal framework for this recommendation was established by the City Attorney's Opinion 64-30, December 1, 1964, which was based on sections 7.400 - 7.405 in the City Charter.

Consequently, FHPC recommends that the Mayor and the Board of Supervisors adopt an ordinance establishing a Land Bank of all public land and air rights over public land in the City and County of San Francisco with priorities and procedures of use in the public welfare, especially for low and moderate income housing, including housing for families with children. FHPC further recommends the use of the City's inventory of public land by neighborhood planning groups interested in developing low and moderate income housing in their neighborhood.

RECOMMENDATION TWELVE

12. MAKE APPOINTMENTS TO THE CITY PLANNING COMMISSION REFLECTIVE OF THE CITY'S HOUSING NEEDS

Throughout its work, FHPC regularly came back to the City Planning Commission as having a key role in the control and composition of San Francisco's residential neighborhoods. The Commission achieves this by setting the tone and policy for the Planning Department and especially by its powers affecting development. The resulting building and growth patterns have a direct impact upon the supply of decent housing available to San Francisco's low and moderate income families.

It is the responsibility of the Commission under the City Charter, to co-ordinate such patterns to achieve a more harmonious city. If serious consideration is to be given consistently to racial and economic integration, these concerns must be actively represented on the Commission. In addition, the Commission must be more representative of the racial and economic population of the City if the voices and viewpoints of all the people are to be heard in decisions.

Therefore, FHPC recommends that the Mayor appoint to the City Planning Commission at the earliest possible time residents of San Francisco who have demonstrated a commitment to racial and economic integration in housing as well as a sympathy for low and moderate income residents; and that these appointments serve to increase the representation of racial and ethnic minorities on the Commission to make it more reflective of the population of San Francisco.
"Although specific grievances varied from city to city, at least 12 deeply held grievances can be identified and ranked into three levels of relative intensity:

First level of intensity:

1. Police practices.
2. Unemployment and underemployment.
3. Inadequate housing."

--Report of the National Advisory Committee on Civil Disorders, 1968

Relations between landlords and tenants, particularly in lower income areas of the City, are notably one-sided. This is so, in part, for economic reasons: the general shortage of low and moderate rent housing in San Francisco makes it a sellers' market. But landlord-tenant laws also favor those who own property over those who rent their apartments. Additionally, landlords as a rule have higher incomes, and more connections and political power than the average tenant in lower income areas.

This fact of life has important implications for the ability of lower income households to exercise choice in the housing market, remain in their existing dwellings, insure for themselves decent living conditions at rents within their means, and exercise meaningful control over their living environments. Unfortunately, most areas of landlord-tenant law are regulated by the State and are not amenable to change by action of the City. This places limitations on what the City can do directly. Nonetheless, FHPC makes four recommendations in the area of landlord-tenant relations, two of which are proposals for direct City action, two for City action to change State laws.

RECOMMENDATION THIRTEEN

13. IMPROVE TENANT-LANDLORD LAW

Landlord-tenant laws in California (as in all states) derive from medieval concepts of property law, geared to the exchange of raw land, rather than to consumer transactions governed by rules of contract more appropriate to the offering of dwelling units for human habitation. Landlords have virtually absolute discretion as to whom they will accept as tenants (providing they do not openly violate anti-discrimination laws),
what rent they will charge, and when and whom they will evict. It is
difficult to get many landlords to make needed repairs, and housing codes
have been of only limited use in securing decent living conditions.
Given the importance of a decent home -- to those who live there and to the
community at large -- FHPC recommends that the Mayor, the Board of
Supervisors and City departments work for changes in State legislation
which will make landlord-tenant laws more equitable.

NO SPECIAL HOUSING COURT UNTIL LAWS ARE EQUITABLE

FHPC considered extensively whether to recommend that the City of
San Francisco establish a special court to hear housing cases, as has
been done in Boston, New York, and several other cities. While the idea
has merit, FHPC feels that without passage of improved landlord-tenant
laws, a special housing court would offer tenants little protection and
might in fact make even more effective the landlords' superior power.
Therefore, FHPC does not favor a specialized housing court under present
inequitable tenant-landlord law.

RECOMMENDATION FOURTEEN

14. ELIMINATE HOUSING DISCRIMINATION AGAINST CHILDREN

The refusal of many landlords to rent their apartments to households
with children came under special consideration by FHPC. It is common know-
ledge, from newspaper advertisements, real estate listings, and individual
experiences, that the "no children" sign is out for a high proportion of
vacancies. The Department of City Planning's 1969 Housing Survey (p. 58)
reported that 66% of all apartment buildings in the City prohibit families
with children.

Family-sized units are in short supply in general in San Francisco,
and owners of a large portion of the multi-bedroom units will not accept
children, which makes matters even more difficult for families. They must
either pay higher rents for the units that are available, or move out of
the City.

FHPC feels that discrimination based on the presence of children
should be no more permissible than discrimination based on race, nationality
or religion, which are legally barred under anti-discrimination laws.
However, FHPC recognizes that certain exceptions should be made, as in
housing specifically for the elderly and infirm.

Noting that Massachusetts has recently expanded its antidiscrimination
laws to prohibit discrimination against families with children, FHPC
recommends that the Mayor and the Board of Supervisors seek and support
State legislation that would prohibit owners of residential property from
discriminating against households with children, consistent with established standards of the number of people per room, and excepting housing specifically designed for the elderly.

"I wish that I could have a better block than I have now....
I demand a pretty good house and more food to eat that's what I demand and I better get it."

--Rhonda, age 7, The Me Nobody Knows

RECOMMENDATION FIFTEEN

15. COMPENSATE AND ASSIST DISPLACED TENANTS

DEMOLITIONS, CONVERSIONS AND REMODELING

The Committee also dealt with the problem of persons displaced from their homes and neighborhoods by private owners. Each year, residential buildings, usually lower-rent, are demolished by their owners, in almost all instances to permit a more profitable use of the land (parking lot, office building, higher density, higher-rent residential structure, etc.) In other instances owners evict residents in order to convert their buildings into some other use (usually commercial) or to remodel and upgrade the apartments. For all these private actions—demolitions, conversions and remodeling, the City gives the owner a permit to proceed.

UNIFORM RELOCATION ACT

Unlike persons displaced by most forms of public action (urban renewal, highways, and all other federally-aided projects), persons who are displaced by private owners are not eligible for any compensation to cover the many costs that result from forced displacement: moving and moving-in expenses, rent and utility deposits, higher rents, time and financial costs of finding a new place to live, social and emotional disruption, etc. Under the 1970 Uniform Relocation Act persons displaced by any project in which federal funds are involved receive up to $300 in moving expenses, a $200 general dislocation allowance, assistance in finding a new place to live, and (for renters) up to $4,000 for four years ($83 per month) as a rental allowance to make up the difference between what the household can afford for housing and the actual cost of obtaining decent replacement quarters.

PUBLIC CONCERN

FHPC believes that the problems of households displaced by private action, and by government programs which are not federally-assisted, are a matter for public concern and remedial action.
Private displacement burdens evicted persons with costs similar to those which result from displacement by direct public action, and such displacement puts strains on the private housing market, particularly for low and moderate income families. Removal of low and moderate income units through demolition, conversion or remodeling decreases the already short supply of this type of housing in San Francisco and drives up rents for the remaining supply. FHPC believes that the victims of such actions ought not to have to bear these costs and that both the private owner and the City should provide financial and other forms of assistance.

RECOMMENDATION

To this end, FHPC proposes legislation which will provide for each household (individual or family) displaced by a private owner who wishes to demolish his building, or is ordered to do so by the Bureau of Building Inspection, or who wishes to evict his tenants in order to convert or remodel his building the following benefits:

1) The services of the City's Central Relocation Service in assisting the displaced household to find a new place to live.

2) Payment to the Central Relocation Service by the owner who wishes to displace of an administrative fee plus a sum equal to (1) the fee paid to CRS by the City for assistance to persons displaced by certain code enforcement and (2) the costs of moving and of moving into new quarters (deposits, utility connections, etc.) The sum to be paid will vary with the size of the dwelling unit from which the household is being displaced.

3) Rental assistance payments from the City's Local Rent Assistance Fund, to families and individuals eligible to receive such payments under present regulations (applicable now only to persons displaced by a government agency.)

The current amount paid to CRS when the City refers a case to it for assistance is $100. CRS must receive these funds if it is to be able to provide displacees with home-finding assistance. However, if the displacee finds his own place, without asking CRS for help, he should be entitled to the $100 as a finder's fee, of the type CRS and other agencies now pay to agents who find places for them minus a $10 administrative fee to the CRS for processing the payment. In cases where the displaced asks for CRS help but winds up finding a place on his own, the $100 should be divided between the tenant and the CRS. And if the landlord is able to find a new place for the displaced tenant, which the tenant accepts, the finder's fee should go to the landlord, again minus the $10 administrative fee for CRS.

The second part of the payment would be channeled through CRS too, with the displacee again having the option of having CRS handle and pay for moving and moving-related expenses, (as they do now upon request) or having CRS transmit the payment to the displacee so that the displacee
can disburse the money himself.

Thus, the disbursement in the proposed ordinance would be:

<table>
<thead>
<tr>
<th>Home Finding</th>
<th>Moving &amp; Move-In</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 rm</td>
<td>$100</td>
<td>$400</td>
</tr>
<tr>
<td>2 rms</td>
<td>100</td>
<td>700</td>
</tr>
<tr>
<td>3 rms</td>
<td>100</td>
<td>1000</td>
</tr>
<tr>
<td>4 rms</td>
<td>100</td>
<td>1300</td>
</tr>
<tr>
<td>5 rms</td>
<td>100</td>
<td>1500</td>
</tr>
<tr>
<td>6 rms</td>
<td>100</td>
<td>1700</td>
</tr>
</tbody>
</table>

(add $200 to 2nd and 3rd columns for each additional room)

The $100 home-finding fee would be divided as follows:

If the tenant finds home on his own and doesn't go to CRS for help, the tenant gets $90, CRS gets $10 administrative fee.

If the tenant goes to CRS for help and CRS finds the tenant a home, which the tenant accepts, CRS gets $100.

If the tenant goes to CRS for help and the tenant finds his own home, the tenant gets $50, CRS gets $50.

If the landlord finds a home for the tenant, which the tenant accepts, the landlord get $90 back, CRS gets $10 administrative fee.

In the event the City increases by ordinance the $100 fee it pays to CRS generally, this schedule of fees would be raised accordingly.

RECOMMENDATION SIXTEEN

16. ESTABLISH A RENT GRIEVANCE BOARD

EXCESSIVE RENT INCREASES

Finally, the Committee dealt with the problem of excessive rent increases in San Francisco. Rising costs of housing are a severe problem in San Francisco, as in most parts of the country. Rapidly rising rents present a particularly difficult problem for low and moderate income households, large families, the elderly, households living on fixed incomes, and racial minorities. In San Francisco, 67% of all households are renters,
among the highest proportion of any city in the nation.

Low and moderate rental housing in San Francisco is in extremely short supply, which serves to drive prices up even further. The problem is clearly revealed in the fact that 47% of all renter households in the City pay 25% or more of their income for rent. (Twenty-five percent is considered the maximum proportion of the family budget that can be devoted to housing if other necessities of life are not to be neglected.) The fact that 7 1/2% of all renter-occupied units are overcrowded (1.01 or more persons per room) is another index of the impact of high rents: to keep rents down, people are securing less space than is needed for good family life or in some instances are doubling up with other households.

PROBLEMS WITH LOCAL RENT CONTROL

The causes of rapid rent rises are multiple and complex, and some, such as high mortgage interest rates, reflect nationwide rather than local conditions. Nonetheless, it is possible and desirable to take some steps at the local level to protect the housing consumer against excessive profit-taking by landlords in the current situation of a sellers' housing market. While a comprehensive rent control ordinance for San Francisco would be a useful tool to control spiralling housing costs, it does not seem feasible at this time. The organizational and political support for such controls has not yet reached a critical mass (although such a movement has recently succeeded in several cities on the east and west coasts), and the recent court decision with respect to the Berkeley rent control initiative suggests problems in State law that might inhibit a California city from enacting a comprehensive rent control ordinance.

A less potent, but still potentially effective tool is a rent grievance mechanism to regulate excessive rent increases about which tenants file complaints, to order rollbacks where appropriate, and to assess deterrent penalties against landlords who knowingly and consistently attempt to levy excessive increases.

RENT GRIEVANCE BOARD

FHPC, therefore recommends that the City adopt an ordinance establishing a Rent Grievance Board, to be implemented at the earliest possible date.

The outlines of the mechanism are as follows:

(1) **All Rental Housing**

All rental housing in the City, including that built subsequent to passage of the ordinance, would be subject to the provisions of the ordinance.
(2) Complaints and Remedies

A Rent Grievance Board would be established by the City to hear complaints by tenants about excessive rent increases. Complaints may be filed about increases imposed during a given tenancy or increases imposed between tenancies, in the turnover process. (To regulate increases of the latter type and provide applicants for an apartment with information as to the previous rent, landlords and rental agents would be required to furnish each applicant with a statement of the previous rent. The Grievance Board would develop forms and procedures to insure that information given to the applicant is accurate.)

The Rent Grievance Board would have the power to respond to a tenant's complaint by upholding the increase, ordering a full or partial rent rollback, and/or imposing penalties on the landlord.

(3) Composition of Board

The Board would be composed of three or five persons, preferably appointed by the Board of Supervisors from a list of arbitrators, all of whom shall be residents of the City, prepared by the Center for Dispute Settlement of the American Arbitration Association. Most of the Board's work would be done by a staff of hearing examiners, however.

(4) Fair Rent Guidelines

The Board would develop a schedule of "fair rent" guidelines for the City, based on existing rent levels by size, type, condition and location of the unit. Rent increases would be allowed based on these factors and on the cost-of-living index. Standards and guidelines would be as precise as possible. Disposition of the average complaint would probably be made by the hearing examiner, based on these guidelines, and the Board's function would be to hear cases that presented special or unusual problems, or those where either party wished to appeal the hearing examiner's ruling. The Board's guidelines on allowable rent increases should to the greatest extent possible protect tenants against rent increases which derive from:

a) capital expenditures by the landlord that represent improvements which far exceed decent, safe, and sanitary conditions, or which represent remedy of code violations resulting from past neglect by landlords;
b) increased financing and refinancing expenses beyond normal mortgage financing needed for the building.

(5) Protection Against Retaliation

A set of rules would be developed by the Board to protect tenants who file a complaint against retaliatory eviction or other punitive acts by landlords.

(6) Publicity for Rent Grievance Board

Maximum publicity must be given to the existence of the grievance mechanism in order for it to work properly. The Board itself, as well as citizens groups, will have to insure that the citizenry is aware of this method of curbing excessive rent increases. Full awareness of the Board will in itself serve as a deterrent to landlords against exceeding allowable levels of rent increases.

"The foxes have holes
And the birds of the air have nests
But the son of man has nowhere to lay his head."

--St Francis of Assisi
1. ESTABLISH A REHABILITATION ASSISTANCE PROGRAM (RAP) WHICH INCLUDES SAFEGUARDS FOR RESIDENTS

The Fair Housing Planning Committee urges the Mayor, the Board of Supervisors, and the private lending institutions of San Francisco to establish a joint citywide program of loans for residential code compliance and improvement, for the public purpose of attaining a decent home for every San Franciscan, the preservation and improvement of neighborhoods already racially, ethnically and economically integrated, and the integration of neighborhoods in which housing opportunities are now limited.

A large-scale public-private sector City program is needed in addition to any residential improvement loan programs funded by the federal and State governments, if these public purposes are to be accomplished.

The Fair Housing Planning Committee will support such a loan program only if it embodies the following principles:

1. The program should be an on-going institutionalized function of the government, conducted continuously on a neighborhood by neighborhood basis throughout the City until all neighborhoods in need have been included.

2. The pace and scope of financing should be established on such a scale that all neighborhoods in dire need can benefit before it is too late for them to be rehabilitated.

3. Priorities for neighborhoods to be designated for this program should be determined, in consultation with community organizations, on the basis of the following criteria:

   1. The greatest housing needs of residents.

   2. The greatest needs by residents for improvement of neighborhood facilities and services.

   3. Correction of past disadvantages and discrimination in housing and neighborhood conditions.

   4. Preservation and improvement of racial, ethnic and economic integration of the City.

   5. Agreement on the program by organizations representing residents and property owners of the neighborhood.

4. The program in designated neighborhoods should be planned and conducted with the participation of the organizations in that neighborhood.
5. The City should commit itself to neighborhood improvements in each designated neighborhood, including health, recreation, child-care, educational, cultural, safety, and street facilities and services.

6. The terms of loans under this program should be based on the need of property owners. A sliding scale of below-market interest rates should be included in the terms of these loans. Interest rates, time for repayment, and other terms should also be based on the economic feasibility of maintaining rent levels that people with low and moderate incomes can afford.

7. The guidelines for eligibility for loans under this program should be based on affirmative and flexible standards that will result in equal borrowing opportunities. Outmoded and rigid standards that are irrelevant to sound lending practice should be eliminated.

8. As a condition for receiving a loan under this program, rental property owners should be required to limit increases in rent to certain stipulated costs over a stipulated period of time.

9. In view of the limitation on rent increases, fair market value for tax assessment purposes on properties under this program should be determined by actual rental income.

10. As a condition for receiving a loan under this program, rental property owners should be required to maintain stipulated annual reserves for the length of the loan for management, maintenance, repair and replacement.

11. In exchange for the obligations of rental property owners under this program, tenants in such buildings should be encouraged to attend short-term free classes in tenants' rights and responsibilities and in everyday home maintenance.

12. Where tenants in buildings under this program are given notices to move by their landlords in order to vacate the unit for code compliance work, such notices to move should be considered displacement by public action due to code enforcement. In all such cases, tenants should be certified as eligible for relocation assistance by the Central Relocation Service and by the Local Rent Assistance Program.

13. Contractors doing work under this loan program should be included in the non-discriminatory employment provisions of Section 128 of the San Francisco Administrative Code.
2. **IMPROVE RESIDENTIAL INSURANCE POLICIES AND PRACTICES**

I. We recommend that the City of San Francisco, through its lobbyist in the California legislature, seek passage of legislation to provide the following:

A. Change the coverage of Fair Plan policies to allow for inclusion of special form and homeowners coverages, which would normally be available in conventional companies. Premiums should be set at the same rate as is charged by the insurance companies throughout the rest of the city.

B. Increase the brokers commission for processing Fair Plan policies to the same percentage which is paid to them by conventional insurance companies.

C. Prohibition of discrimination on the basis of sex and marital status in all residential property insurance.

II. We recommend that increased funds be made available to the Human Rights Commission or other appropriate city agency, to secure data about the distribution of Fair Plan policies in the sub-districts within the city and to acquire information on the loss ratio figures for Fair Plan policies by sub-districts within the city, and to make its findings and recommendations available to the general public and make recommendations to appropriate agencies for remedial action.
3. SUPPORT REZONING TO PRESERVE AND EXPAND NEIGHBORHOOD INTEGRATION AND HOUSING OPPORTUNITIES

BE IT RESOLVED that the Fair Housing Planning Committee supports the efforts of neighborhood organizations in securing rezoning in their neighborhoods which will preserve and improve the racial, ethnic and economic integration of their neighborhood; which will enhance the quality of life for children and for grown-ups of diverse ages and lifestyles at a variety of prices and rents, including those which families and individuals with low and moderate incomes can afford; and which will benefit the community of San Francisco rather than the interests of speculators.

BE IT FURTHER RESOLVED that the Fair Housing Planning Committee urges the City Planning Department, the City Planning Commission and the Board of Supervisors to be responsive to requests for neighborhood rezoning which will contribute to racial, ethnic and economic integration, open housing choices, and decent housing for every San Franciscan resident.
4. REDEFINE RESIDENTIAL ZONING CLASSIFICATIONS

BE IT RESOLVED, that the Fair Housing Planning Committee supports the redefinition of residential zoning classifications which will insure balance in the growth of the City, to protect and foster diversity in San Francisco's residential communities, to promote the maintenance of housing at a variety of prices and rents, in particular those which individuals and families with moderate and low-income can afford; and that the Committee urges the San Francisco Department of City Planning, the City Planning Commission and the Board of Supervisors to take the necessary steps to amend the city's zoning ordinance to achieve these goals.

BE IT FURTHER RESOLVED, that the Fair Housing Planning Committee urges the City Planning Department, the City Planning Commission and the Board of Supervisors when considering definitions of residential zoning classifications to be responsive to the needs and interests expressed by residential communities.

BE IT FURTHER RESOLVED, that the Fair Housing Planning Committee calls on the City Planning Department, the City Planning Commission and the Board of Supervisors to continue to act upon rezoning requests by neighborhood organizations during the City Planning Department's study of the redefinition of residential zoning classifications.

BE IT FURTHER RESOLVED, that if the City Planning Department or Commission delays, prohibits, or denies rezoning applications by neighborhood organizations during the zoning redefinition study, that a moratorium be established for the duration of the reclassification study (as in the case of the Urban Design Study) on all building permits that would substantially change the character of residential neighborhoods.
5. SUPPORT CO-OPERATIVE AND CONDOMINIUM OWNERSHIP BY LOW AND MODERATE INCOME NEIGHBORHOOD RESIDENTS

BE IT RESOLVED, that the Fair Housing Planning Committee supports the efforts of present low and moderate income tenants to achieve homeownership principally in their own neighborhoods through condominium and co-operative housing organizations in order to establish economic and racial integration.

BE IT FURTHER RESOLVED, that in order to facilitate the conversion of rental housing into condominium and co-operative units, the Fair Housing Planning Committee recommends that the City take the following actions:

1. Provide, through an appropriate city agency, direction, support and guidance directly to community groups and individual citizens interested in converting to condominium or co-operative housing.

2. Aid in the establishment of a non-profit corporation to assist low and moderate income tenants in handling the mechanics of condominium and co-operative organization, including the financing of such ventures. The non-profit corporation should be formed with a board of directors representative of the varied communities which make up the population of the City and should operate on a city-wide basis in close cooperation with any existing neighborhood organization seeking similar ends.

3. Seek funding to establish the non-profit corporation from both public and private sources.

BE IT FURTHER RESOLVED, that the City implement those provisions relating to condominium and co-operative housing expressed in Resolution 426-73 adopted June 18th by the Board of Supervisors, Authorizing the Establishment of a Housing Rehabilitation Financing Program.
CONDUCT AN ANNUAL APARTMENT HOUSE INFORMATION SURVEY ON RACIAL AND ETHNIC OCCUPANCY

The Fair Housing Planning Committee supports the draft Apartment House Information Survey ordinance developed by the Housing and Urban Development Committee of the Human Rights Commission and the San Francisco Fair Housing Coalition, with the recommendation of two amendments:

(1) that the Human Rights Commission be the administering agency; and

(2) that the owner's policy and practice of renting to households with children be included in the information required.

FHPC urges official approval by the Human Rights Commission and adoption of this ordinance by the Board of Supervisors.

Note: (This draft ordinance, under community discussion, would enable the City to collect information for analysis and evaluation by public and private agencies and citizens. The annual reports would obtain information about the racial and ethnic composition of rental buildings. FHPC recommends that reports would also obtain information about rental policies toward children.)
7. INCREASE CIVIL RIGHTS IMPACT IN ENVIRONMENTAL IMPACT REPORTS

BE IT RESOLVED, that the Fair Housing Planning Committee recommends that the City Planning Department make full use of its project evaluation powers as authorized under Chapter 31 of the San Francisco Administrative Code (pertaining to the Environmental Impact Report) to determine the effect of such projects on the civil rights of all persons affected;

that the Department examine the data and information submitted by the applicant in the light of San Francisco's policy affording equal opportunity in housing to all persons as well as the Department's own recommendations regarding the construction of low and moderate income units in all areas of the city, and that if the project is not in conformity with these goals a determination of possible substantial "adverse effects" on the population be made;

that the Department of City Planning as directed by Section 31 of the Administrative Code makes a genuine effort to seek out for consultation and comment persons with an interest in the residential integration of San Francisco, submit the draft Environmental Impact Reports to the Human Rights Commission as being those persons having "special expertise" with respect to the projects impact on human beings, and actively encourage public participation and comment at all stages of review;

that the Department of City Planning revise the 'Environmental Evaluation Form' and the 'Guidelines for Material Required for a Draft Environmental Impact Report' in order to obtain adequate information necessary for such an evaluation, and to make known alternatives and mitigation measures which can be used by the project applicants to forestall possible adverse findings.
8. REQUIRE A CIVIL RIGHTS REVIEW OF CITY PLANS AND ACTIONS

I. Purpose:

A. To require the City and County of San Francisco to plan and carry out its activities in light of their effect on the civil rights of the people of San Francisco;

B. To determine whether particular proposed projects conform to the policies and objectives of the Comprehensive Plan of the City and County of San Francisco from the point of view of civil rights;

C. To require, when a particular proposed project is given an adverse determination under IB., that the proposed project be disapproved unless and until it is changed to bring the proposed project into conformity with the Comprehensive Plan from the point of view of civil rights.

II. Coverage:

A. 1. Reports of all City offices, departments, boards, committees, commissions and agencies. (Hereafter referred to as public agencies.)

2. All studies and long term plans of the above agencies.

B. 1. All actions directly undertaken by any office, department, agency, board, committee or commission of the City and County of SF.

2. Activities undertaken by persons not public agencies which are supported by contracts, grants, subsidies, or other forms of assistance from one or more public agencies.

3. Activities undertaken by persons not public agencies involving the issuance of a lease, permit, license, certificate or other entitlement for use by one or more public agencies.

III. Procedures:

A. For 11.A. above:

1. All public agencies will include in their feasibility and long range studies and plans, pertinent data and evaluation in light of the racial, ethnic and economic make up of the Population of San Francisco.

2. All public agencies will include in their reports, including annual reports, a statement evaluating their work in light of the Comprehensive Plan of the City and County of San Francisco from the point of view of Civil Rights.
3. Budget items for these studies, plans and reports shall not be approved unless the civil rights review requirements are met.

B. For II.B. above:

1. The appropriate public agency will prepare or cause to be prepared by the private applicant a civil rights report evaluating the proposed project according to forms and guidelines drawn up for that purpose and supplied by the agency;

2. The agency shall then review this civil rights report and evaluate it on the basis of standards and criteria drawn from the Comprehensive Plan of the City and County of San Francisco from the point of view of civil rights. A minimum acceptable score shall be established and failure of any proposed project to achieve this score will require the agency to disapprove the project unless and until changes are made to meet the minimum acceptable score.

IV. Recommendation:

A. That the Mayor and the Board of Supervisors adopt a Resolution embodying the principles and policies outlined in this paper and establishing a committee to draw up an ordinance based upon these principles and policies;

B. That the committee be composed of representatives of appropriate City agencies and of community organizations with a demonstrated interest in civil rights.
9. ESTABLISH A DEVELOPMENT INCENTIVES PROGRAM FOR A PROPORTION OF LOW AND MODERATE INCOME UNITS IN LARGE RESIDENTIAL DEVELOPMENTS

BE IT RESOLVED

That the San Francisco Fair Housing Planning Committee recommends that the Board of Supervisors adopt a policy that will offer a series of development incentives to large housing developments whose owners, developers and sponsors voluntarily agree to make available a certain proportion of the dwelling units over a certain period of time at rents and prices which low and moderate income persons can afford; and

That such incentives should take into consideration ecological and environmental standards; and

That such incentives may include bonuses with regard to maximum floor area, maximum coverage of land, height limits, density of off-street parking, setback requirements, property tax and other tax incentives, assistance in the costs of financing, etc; and

That incentives would vary and be determined by the percentage of units and the period of time agreed upon voluntarily by the developer, owner or sponsor; and

That only projects of 50 dwelling units or more would be eligible for the development incentive program; and

That incentives could apply to both residential and commercial aspects of the development; and

That low income individuals and households be considered those currently eligible by income for public housing or federal rent supplements; and that moderate income individuals and households be considered those currently eligible by income for federally subsidized moderate-income housing; and

BE IT FURTHER RESOLVED that the Fair Housing Planning Committee recommends that the Mayor and the Board of Supervisors request the City Planning Commission and City Planning Department, together with other City departments and private organizations and individuals, to work out the details of such a development incentive program for necessary legislation; and

BE IT FURTHER RESOLVED that the Fair Housing Planning Committee recommends that the Board of Supervisors also adopts legislation that would require owners, developers or sponsors of residential developments of 50 or more units to allocate a certain percentage of units at low and moderate income rents and prices for a certain period of time, in the event that they do not voluntarily participate in the development incentive program.

BE IT FURTHER RESOLVED that the Fair Housing Planning Committee recommends that the Mayor and the Board of Supervisors seek and support enabling State legislation, if such legislation is necessary.
10. **INVESTIGATE THE USE OF MOBILE HOMES FOR OWNERSHIP**

    **BE IT RESOLVED,** that the Fair Housing Planning Committee while taking no position as to the desirability of mobile homes urges that further investigation and study be undertaken in this field as a means of providing low and moderate income housing for home ownership.
11. ESTABLISH A LAND BANK WITH PRIORITY OF SUITABLE PUBLIC LAND FOR LOW AND MODERATE INCOME HOUSING

BE IT RESOLVED that the San Francisco Fair Housing Planning Committee recommends that the Mayor and the Board of Supervisors adopt an ordinance establishing a Land Bank of all public land and air rights over public land in the City and County of San Francisco with priorities and procedures of use in the public welfare, especially for low and moderate income housing, including housing for families with children; and

BE IT FURTHER RESOLVED that the Fair Housing Planning Committee recommends that such an ordinance be based on the City Attorney's Opinion 64-30 (December 31, 1964) concerning such land use, on the Human Rights Commission Resolution on the Use of Appropriate Vacant Land for Low Income Housing (September 17, 1968), on the Housing Policy Statement concerning the use of public land for development of low and moderate income housing of the People's Action Coalition (December 1971), and on the Objectives and Policies of the City Planning Commission's Improvement Plan for Residence (1972); and

BE IT FURTHER RESOLVED that the Fair Housing Planning Committee recommends to the Mayor, the Chief Administrative Officer, and the Director of Property that the Annual Report of Real Property Owned by the City and County of San Francisco include "recommendations to the mayor and chief administrative officer relative to the advantageous use, disposition, or sale of real property not in use" as required by the City Charter, Section 7.400, including land and air rights appropriate for low and moderate income housing; and

BE IT FURTHER RESOLVED that the Fair Housing Planning Committee recommends that neighborhood planning organizations make use of the City Planning Department's inventory of public land sites and air rights suitable for housing and the Annual Report of public land of the Real Estate Department to plan strategies for the development of low and moderate income housing on appropriate sites in their neighborhood.
BE IT RESOLVED, that the Fair Housing Planning Committee urges the Mayor to use his authority to appoint to the City Planning Commission at the earliest possibility citizens of San Francisco who have demonstrated a commitment to racial and economic integration in housing as well as a sympathy for the plight of the low and moderate income residents, especially those with families; and that these appointments serve to increase the representation of racial and ethnic minorities on the Commission to make it more reflective of the population of San Francisco.
13. IMPROVE TENANT-LANDLORD LAW
DON'T ESTABLISH A SPECIAL HOUSING COURT UNTIL THIS IS DONE

BE IT RESOLVED, that the Fair Housing Planning Committee does not favor a Specialized Housing Court under present inequitable tenant-landlord law, and

BE IT FURTHER RESOLVED, that the Mayor, the Board of Supervisors and City departments should push for changes in State legislation which will make tenant-landlord laws more equitable.
14. **ELIMINATE HOUSING DISCRIMINATION AGAINST CHILDREN**

__BE IT RESOLVED__ that the Fair Housing Planning Committee recommends that the Mayor and the Board of Supervisors seek and support State legislation that would prohibit owners of residential property from discrimination against households with children, consistent with established standards of the number of people per room, and excepting housing specifically designed for the elderly.
15. COMPENSATE TENANTS DISPLACED BY PRIVATE SECTOR DEMOLITIONS

BE IT RESOLVED that the San Francisco Fair Housing Planning Committee recommends passage of legislation which will provide the following compensatory benefits for families and individuals displaced for demolition of residential buildings by private owners:

1. Relocation compensation payments to cover moving expenses, deposits and other costs incurred by moving from one place to another, to be paid by the private owner who wishes to remove his tenants and demolish or rehabilitate his building.

2. Assistance in finding a new place to live, for either rental or ownership, to be made available through the City's Central Relocation Service.

3. Rent subsidies for eligible families and individuals, through the City's Local Rent Assistance program.
16. **ESTABLISH A RENT GRIEVANCE BOARD TO ARBITRATE COMPLAINTS OF EXCESSIVE RENT INCREASES**

FHPC recommends creation of a Rent Grievance Board for the City and County of San Francisco embodying the following principles:

1. Placement of all rental housing in the city under coverage of the proposed ordinance.

2. Maximum publicity given to the existence of a grievance board to rule on the allowability of rent increases which are the subject of tenant protest.

3. Appointment of a three or five person board, consisting of San Francisco residents nominated by the Center for Dispute Settlement of the American Arbitration Association.

4. Promulgation by the Board of guidelines for allowable and non-allowable rent increases and power to order partial or full rollbacks for increases which exceed allowable guidelines and to assess further penalties against landlords who repeatedly and/or knowingly attempt to levy such increases.

5. Adequate provision to protect tenants who make use of the grievance mechanism from retaliatory action by landlords.

6. Provision in the Board's guidelines on allowable rent increases for protecting tenants to the greatest extent possible against rent increases which derive from:
   
   a) capital expenditures by the landlord which represent improvements which far exceed decent, safe and sanitary conditions, or which represent remedy of code violations resulting from past neglect by landlords;
   
   b) increased financing and refinancing expenses beyond normal mortgage financing needed for the building.
PLAN FOR IMPLEMENTATION

1. The full Board of Supervisors should receive the written Report of FHPC in a hearing of the whole Board, where the Report will be officially presented and FHPC members will present the Sixteen Recommendations.

2. The Planning and Development Committee of the Board of Supervisors should be re-named "The Housing, Planning and Development Committee", to focus attention on the critical housing situation, and henceforth all housing matters should be referred to this Committee.

3. The Housing, Planning and Development Committee of the Board of Supervisors should schedule and hold a series of hearings on each of the Sixteen Recommendations of FHPC, until all the Recommendations are heard and action is taken on each of them.

4. Whether these Sixteen Recommendations are implemented depends on neighborhood and community organizations and interested individuals. The process that resulted in these Sixteen Recommendations must be continued and broadened throughout the neighborhoods of San Francisco until the Mayor and the Board of Supervisors has taken action on the Sixteen Recommendations.
RESOLUTION ESTABLISHING THE FAIR HOUSING PLANNING COMMITTEE

FOURTH DRAFT as amended in Board 11/14/72

FILE NO. 347-71

RESOLUTION NO. 724-72

ESTABLISHING A FAIR HOUSING PLANNING COMMITTEE COMPOSED OF 34 MEMBERS SELECTED FROM VARIOUS GEOGRAPHIC, ETHNIC, NEIGHBORHOOD, BUSINESS GROUPS AND PUBLIC AGENCIES TO EXPLORE THE DEVELOPMENT OF A COMPREHENSIVE PLAN FOR RACIAL INTEGRATION IN RESIDENTIAL NEIGHBORHOODS IN THE CITY AND COUNTY OF SAN FRANCISCO AND PRESCRIBING ACTIONS TO BE TAKEN.

WHEREAS, The United States Housing Act of 1949 set the goal of "a decent home and a suitable living environment for every American family"; and

WHEREAS, Title VIII of the United States Civil Rights Act of 1968, the California Fair Housing Law of 1963, and the 1968 decision of the United States Supreme Court in Jones v Mayer, combined to establish a national and state mandate for open occupancy in housing; and

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin under any program or activity receiving Federal financial assistance; and

WHEREAS, Executive Order 11063, issued November 20, 1962, requires all Federal agencies and departments to take all action necessary and appropriate to prevent discrimination because of race, color, creed or national origin in the sale or rental of residential property and related facilities owned or operated by the Federal government or provided with Federal financial assistance; and

WHEREAS, It is the policy of the City and County of San Francisco to afford to all persons equal opportunity in housing and other aspects of life; and

WHEREAS, Residential patterns in the City and County of San Francisco are increasingly segregated along racial, ethnic and economic lines; and

WHEREAS, Racial imbalance in residential communities is perpetuated by the limited choices of housing available in other areas of the City and County of San Francisco to persons of low and moderate income and to persons unlawfully discriminated against because of race, color, religion or national origin; and
WHEREAS, Federal housing policies require a feasible method for the rehousing of individuals and families displaced from urban renewal areas (the great majority of whom are racial and ethnic minorities and persons of low income); and

WHEREAS, The City and County of San Francisco has an obligation to develop methods for providing equal access to housing for all its residents in all areas of the city and to analyze and correct policies which result in segregated residential patterns; and

WHEREAS, The elimination of segregated housing patterns will help to resolve the racial imbalance of the public schools and to encourage programs designed to achieve educational excellence in all schools without the continued utilization of presently necessary, but less desirable programs to correct such racial imbalance; and

WHEREAS, The achievement of integrated residential areas in all sections of the City and County will require the joint efforts of public agencies and private organizations and individuals; now, therefore, be it

RESOLVED, That this Board of Supervisors of the City and County of San Francisco establish a Fair Housing Planning Committee consisting of 34 members to develop a comprehensive plan for the racial, ethnic and economic integration of residential neighborhoods in the City and County; and, be it

FURTHER RESOLVED, That the Committee can be expanded to a maximum of 39 members if a bona fide organization with a demonstrated interest in housing within a neighborhood not now represented on the Committee petitions for involvement and follows the designated nominating procedure; and, be it

FURTHER RESOLVED, That the Committee shall consist of citizens of San Francisco who have demonstrated a commitment to open occupancy in housing, or who are willing to work toward this commitment, residents of urban renewal areas affected by efforts to change segregated patterns of housing and agencies, and departments of the City and County whose activities have direct influence on and are affected by the housing patterns in San Francisco and the Committee shall be composed of one representative from each of the following:

1. Western Addition Project Area Committee (WAPAC)
2. Bayview Hunters Point Joint Housing Committee
3. Mission Coalition
4. Chinatown Coalition for Better Housing
5. Yerba Buena Tenants and Owners in Opposition to Renewal (TOOR)
6. Planning Association for the Richmond (PAR)
7. Sunset-Parkside Education and Action Committee (SPEAK)
8. Inner Sunset Action Committee
9. Haight-Ashbury Neighborhood Council
10. Oceanview-Merced Heights-Ingleside Committee (OMI)
11. League of United Latin American Citizens (LULAC)
12. National Association for the Advancement of Colored People (NAACP)
13. Filipino-American Council of San Francisco
14. Bay Area Urban League
15. Chinese for Affirmative Action (CAA)
16. American Indian Center
17. Japanese Americans Citizens League (JACL)
18. San Francisco Fair Housing Coalition
19. San Francisco Public Housing Tenants Association
20. Arriba Juntos
21. Council for Civic Unity (CCU)
22. San Francisco Planning and Urban Renewal Association (SPUR)
23. Senior Citizens Centers
24. San Francisco Real Estate Board
25. Mission Model City
26. Bayview-Hunters Point Model City
27. Housing Authority of the City and County
28. Redevelopment Agency of the City and County
29. City Planning Commission
30. Board of Education of the City and County
31. Deputy for Development, Office of the Mayor
32. Social Services Commission
33. Bureau of Building Inspection, Department of Public Works
34. Human Rights Commission of the City and County

and, be it

FURTHER RESOLVED, That each organization (exclusive of City and County agencies) shall forward to the Mayor the names of three persons as its nominees to the Committee and the Mayor shall select one of the three from each organization as official members of the Committee; provided, however, that in the event any non-departmental member of the Committee absents himself from three consecutive meetings of the Committee, the organization he represents shall be entitled to no further representation on the Committee and the Mayor shall appoint a representative from another organization of his choosing which has petitioned for representation on the Committee. City and County agencies and departments shall name a high ranking official to the committee; and, be it

FURTHER RESOLVED, That this Committee shall undertake actions such as are necessary for the purpose of preparing a city-wide plan for integration of housing which recognizes existing commitments to rehouse persons displaced by urban renewal and other public action, as well as the social, political and economic factors relevant to a comprehensive plan of action to be submitted to the Board of Supervisors of the City and County of San Francisco for consideration and approval; and, be it

FURTHER RESOLVED, That the Mayor shall designate a member of the Fair Housing Planning Committee to convene the Committee and the Committee shall thereafter select its own presiding officer and meet within one month after adoption of this resolution and present its recommendations for action to the Board of Supervisors and the Mayor within six months of the Committee's first meeting; and, be it

FURTHER RESOLVED, That the Board of Supervisors and the Mayor will cooperate with the Committee in seeking funds necessary to the Committee's operation from private sources, if such funds are not available from the City and County.

Adopted -- Board of Supervisors, San Francisco November 13, 1972

Ayes: Supervisors Barbagelata, Boas, Feinstein, Francois, Gonzales, Kopp, Mendelsohn, Molinari, Pelosi, Tamaras, von Beroldingen

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco.

/s/ Robert J. Dolan, Clerk
November 27, 1972

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limitations as set forth in Section 2.302 of the Charter, becomes effective without his signature in accordance with the provisions of said Section 2.302 of the Charter.

/s/ Robert J. Dolan, Clerk

File 347-71
MEMBERS OF THE SAN FRANCISCO FAIR HOUSING PLANNING COMMITTEE

COMMUNITY MEMBERS AND THE ORGANIZATION WHICH NOMINATED THEM

1. Wayne H. Alba, Filipino-American Council
2. North Baker, S.F. Planning and Urban Renewal Association (SPUR)
3. Alice Barkley, Chinese for Affirmative Action (CAA)
4. Donna Billups, S.F. Public Housing Tenants Association
5. Clyde Courmaîle, S.F. Real Estate Board
6. Fred Crawford, Bay Area Urban League, Inc.
7. Bonnie Daniel, National Association for the Advancement of Colored People (NAACP)
8. Barbara Emley, League of Women Voters of San Francisco
9. Claude T. Everhart, Oceanview, Merced Heights, Ingleside Community Association (OMI)
10. Claudia Godby, League of United Latin American Citizens (LULAC)
11. Chester Hartman, Tenants and Owners in Opposition to Redevelopment (TOOR)
12. Donald Hesse, S.F. Fair Housing Coalition
13. Ronald Kobata, Bay Area Japanese American Citizens League (JACL)
14. Marie C. Nelson, Golden Gate Park Senior Citizens Center
15. George Newkirk, Council for Civic Unity (CCU)
16. Gloria Ramos, Arriba Juntos
17. Guillermo Rivas, Mission Coalition Organization (MCO)
18. Joseph A. Rydberg, Inner Sunset Action Committee (ISAC)
19. William So, Chinatown Coalition for Better Housing
20. Arnold G. Townsend, Western Addition Project Area Committee (WAPAC)
21. Margaret Trafficante, Committee of Parkmerced Residents Committed to Open Occupancy
22. Calvin Welch, Haight-Ashbury Neighborhood Council (HANC)
23. Rev. David B. White, Planning Association for the Richmond (PAR)
24. Carroll Williams, Bayview-Hunters Point Joint Housing Committee

REPRESENTATIVES OF PUBLIC AGENCIES

25. Kenneth Bryan, Social Services Department
26. Albert Cheng, School District
27. James Colman, Housing Authority
28. Bernard Cummings, Bureau of Building Inspection
29. Alfred Goldberg, Bureau of Building Inspection
30. Allan Jacobs, City Planning Department
31. Ron Jonash, City Planning Department
32. Ben Miller, Redevelopment Agency
33. Glenda Skiffer, City Planning Department
34. Wesley Slade, Mayor's Office
35. Melville Spriggs, Housing Authority
36. Philip Waldman, Human Rights Commission
37. Edith Witt, Human Rights Commission
OFFICERS AND CHAIRPERSONS OF FHPC

Presiding Officer: Calvin Welch  
Associate Presiding Officer: Gloria Ramos  
Secretary: Ben Miller  
Recorder: Don Hesse  
Chairperson, Working Groups: Chester Hartman  
Secretary, Working Groups: Edith Witt

Committee Chairpersons:  
    Coordinating: Calvin Welch  
    Communications: Ben Miller  
    Finance: Wayne Alba

WORKING RESOURCE PEOPLE

We wish to thank the Resource people who actively volunteered their knowledge, time, talent and concern to FHPC and its working groups:

Michael Griffin (Model City Agency)  
Aileen Hernandez (National Committee Against Discrimination in Housing)  
Alicia Noyola (S.F. Lawyers Committee on Urban Affairs)  
William Ruppert (Model City Agency)  
Kandis Scott (S.F. Lawyers Committee on Urban Affairs)  
Oscar Sung (National Committee Against Discrimination in Housing)  
Charles Turner (Community Design Center)  
Judith Waldhorn (Stanford Research Institute)  
Alexandra Woods (Volunteer Student, Human Rights Commission)

FHPC WORKING GROUPS

(Coordinators are listed first)

COMMUNICATIONS COMMITTEE

Ben Miller, North Baker, Kenneth Bryan, James Colman, Fred Crawford, George Newkirk, Melville Spriggs, Calvin Welch

FINANCE COMMITTEE

Wayne Alba, George Newkirk, Joseph Rydberg

OPEN HOUSING

Don Hesse, Wayne Alba, Donna Billups, Barbara Emley, Ben Miller, Guillermo Rivas, Oscar Sung, Arnold Townsend, Margaret Trafficante, Charles Turner, Edith Witt
REHABILITATION ASSISTANCE PROGRAM

Edith Witt, Clyde Cournaile, Bernard Cummings, Claude Everhart, Claudia Godby, Alfred Goldberg, Ron Jonash, Marie Nelson, William Ruppert, William So, Carroll Williams

INSURANCE POLICIES AND PRACTICES

David White, Clyde Cournaile, Arnold Townsend

NEIGHBORHOOD REZONING

Calvin Welch, Claude Everhart, Glenda Skiffer, David White

COOPERATIVES AND CONDOMINIUMS

Claudia Godby, Don Hesse, Phillip Waldman

MOBILE HOMES

Phillip Waldman

USE OF PUBLIC LAND

Judith Waishorn, Edith Witt

TENANT-LANDLORD LAW/HOUSING COURT

Kandis Scott

DISCRIMINATION AGAINST CHILDREN

Ron Kobata, Albert Cheng

RENT GRIEVANCE BOARD

Chester Hartman, Alice Barkley, Michael Griffin, Don Hesse, Ron Jonash, Arnold Townsend, Carrol Williams, Alexandra Woods

TECHNICAL STAFFING

We wish to thank the people whose work behind the scene was essential to FHPC:

Human Rights Commission

Pauline Anderson, housing secretary
Carol Carr, telephone-receptionist
Ron Rush, mimeographer
Anthony Scheibelhut, office manager

REPRODUCTION BUREAU

Edward Fundis, Manager
and Staff
Be it ordained by the people of the City and County of San Francisco: Section 1, Part III of the San Francisco Municipal Code is hereby amended by adding Section 86.2 thereto to read as follows:

Sec. 86.2 Apartment House Annual Reports.

(a) Requirements. Not later than the first day of October of each year every licensee and prospective licensee under Section 86 shall file a complete written report prepared with the Tax Administrator, for transmission to the _______ ________________________ Agency, concerning the racial and ethnic composition of each apartment house with respect to which said licensee is required to file, and the factors affecting this composition, which factors shall include:

(1) The racial and ethnic designation of all applicants inquiring in person for apartments rented during the report period;

(2) The racial and ethnic designation of all applicants (including those described in paragraph 1, above) who filled out and submitted an application for an apartment during the report period;

(3) The racial and ethnic designation of all apartment tenants as of the end of the report period;

(4) The rental turnovers of apartments during the report period;

(5) The contract rental rates and sizes of the apartments in the apartment house;

(6) The methods of soliciting new tenant applicants, if any, including but not limited to the names of
rental agencies with which of from which licensee regularly or systematically seeks or accepts referrals;

(7) The racial and ethnic designation of the licensee's employees involved in interviewing and processing applications at the end of the report period;

(8) The name and address of the owner;

(9) The name of the apartment or apartment development in the event multiple apartment houses operate under the same name;

(10) The name and address the managing agent or resident manager as of the close of the report period;

(11) The existence of any waiting list of applicants; and

(12) The standards of rental, if any, applicable to the licensee's apartments.

Where there are multiple apartment houses operated as a unit, a consolidated report may be filed so long as said report presents the above factors in a manner in which may be determined the relevant information with respect to each apartment house covered in the report. Each report shall be submitted on a form approved by the ___________ Agency, which form shall be available without charge from the ___________ Agency. The ___________ Agency shall have the authority to promulgate regulations not inconsistent with this code to govern the making of the reports, the compilation of the data therein, and the procedures by which said data shall be made available to the inhabitants of the City and County of San Francisco and to the Mayor and the Board of Supervisors. All reports shall, anything herein to the contrary notwithstanding, be public records and open to inspection by the general public during ordinary working hours. Licensees shall maintain records necessary to prepare annual reports. Such shall be retained for a period of two years and shall be produced for inspection upon request of the ___________ Agency during business hours.

(b) Definitions. As used in this section:

(1) "Licensee" means any person, firm, partnership or corporation required to pay an annual fee pursuant to Section 86;

(2) "Report period" means the twelve (12) months ending the August 31 immediately preceding the
October 1 filing date, or the applicable portion thereof in respect to any apartment house not subject to this ordinance for all of such year;

(3) "Racial and ethnic designation" means Asian, Black, other non-Caucasian, Spanish surname; Caucasian;

(4) "Tenant" means the party with whom the licensee has contracted for the apartment rental, whether orally or in writing, and includes a sublessee or assignee of such contract where notice or approval of subletting or assignment is a condition of the contract;

(5) "Rental turnover" means a change of tenant;

(6) "Size of apartment" refers to the kind of configuration and usage of the rental unit, as for example, the number of bedrooms and bathrooms in the unit and whether kitchen facilities are included in the unit;

(7) "Standards of rental" means: (aa) the conditions which must be met by an applicant before the licensee will permit the applicant to become a tenant, including but not limited to, a satisfactory credit reference or check or the posting of a deposit, and (bb) general policies excluding types of tenants, including but not limited to a policy against rentals to tenants with children or a policy against rentals to tenants with pets.

Section 2, Part III of the San Francisco Municipal Code is hereby amended by adding Section 86.3 thereto to read as follows:

Sec. 86.5 Apartment House Information Trust Fund Special Charge.

In addition to the annual license fee required in Sections 86 and 86.1, every person, firm, partnership or corporation maintaining, conducting or operating an apartment house shall pay a special charge as prescribed below and file an annual report as prescribed in Section 86.2.

Apartment houses of less than twenty (20) rooms,

Dollars (\$ ) per annum

Apartment houses of twenty (20) to twenty-nine (29) rooms,

Dollars (\$ ) per annum
Apartment houses of thirty (30) to thirty-nine (39) rooms,
Dollars ($ ) per annum

Apartment houses of forty (40) to forty-nine (49) rooms,
Dollars ($ ) per annum

Apartment houses of fifty (50) to fifty-nine (59) rooms,
Dollars ($ ) per annum

Apartment houses of sixty (60) rooms or over,
Dollars ($ ) per annum

The special charge and the report shall be due at the same time the license fee is due. No deduction in the amount of said special charge herein provided for shall be allowed, although the period of use by the licensee shall prove to be less than a year. The special charge shall be for the purpose of administering the reporting provisions relating to apartment licensees pursuant to this Section and shall be held as a special fund pursuant to Section 86.4 of Part III of the San Francisco Municipal Code. The Tax Administrator may accept the special charge without said annual report, but shall in such instance advise the ___________ Agency of the failure to file said report immediately.

Section 3, Part III of the San Francisco Municipal Code is hereby amended by adding Section 76.1 thereto to read as follows:

Sec. 76.1  Reports Required with Payment of Special Charge.

In any case where any person, firm, partnership or corporation is required to file a written report with any agency at the time of the payment of any special charge imposed under any ordinance or ordinances of the City and County of San Francisco, failure to file such written report, in a form substantially required by any ordinance or by the valid regulations of any agency of said City and County, shall constitute a misdemeanor. In addition, in case of such failure to file said written report, unless it is shown that such failure is due to reasonable cause and not due to willful neglect, there shall be added to the amount of the special charge required to be paid 100 percent of the amount of such special charge if the failure is not for more than one (1) month, with an additional 100 percent for each additional month or fraction thereof during which such failure continues, not exceeding 500 percent in the aggregate.

The Tax Administrator shall turn over to the ___________ Agency no later than the first day of December of each year, a list of all licensees who as of the preceding November 1 were at least 30 days delinquent in filing the Apartment House Annual Report. The ___________ Agency shall attempt to obtain voluntary compliance
with the requirements of Section 86.2 of this Code. A licensee's failure to file after such attempt to obtain voluntary compliance shall be deemed to be due to willful neglect. Failure to pay the special charge as required under Section 86.3 within the 30 days from the date when the same becomes due or failure to pay the penalty for failure to file an Apartment House Annual Report shall, in addition to any other penalties, be punishable in the same manner as applies under Section 76 in the event there has been failure for 30 days to pay a required license fee.

Section 4, Part III of the San Francisco Municipal Code is hereby amended by adding Section 86.4 thereto to read as follows:

Sec. 86.4. Apartment House Information Trust Fund.

There is hereby established, as a separate trust fund, the Apartment House Information Trust Fund. The Tax Administrator shall transfer to the Treasurer for deposit to the credit of said Fund all monies collected pursuant to Section 86.3. Said Fund shall be used solely for the following purposes:

(a) Administration of the collection of the special charge imposed by Section 86.3.

(b) Administration of the provisions of Section 86.2, including but not limited to, the payment of reasonable expenses in preparing and distributing the Apartment House Annual Report; collecting, analyzing, compiling and storing filed report.
FOR FURTHER INFORMATION

Copies of this Report are available in all branches of the San Francisco Public Library.

For further information about any of the Sixteen Recommendations or about the Fair Housing Planning Committee, contact any person who was a member of FHPC through his/her organization.

For copies of particular recommendations, working papers and other documents of FHPC, contact the Human Rights Commission.