

City-Funded Legal Representation for Residential Tenants in Eviction Lawsuits*

Digest by the Ballot Simplification Committee

Status: Draft for Consideration
On: Thursday, March 1, 2018
Members: Packard, Anderson, Patterson

Deadline to Request Reconsideration: TBD

The Way It Is Now: The City and County of San Francisco ("City") does not provide legal representation to San Francisco tenants who face eviction from their homes. The City does fund nonprofit organizations that provide free legal representation to some San Francisco tenants who face eviction.

Before a landlord may evict a tenant the landlord must give the tenant a written notice that the landlord intends to do so. If a tenant does not move after receiving that eviction notice, then the landlord may file a lawsuit asking a court to order eviction.

The City's Charter establishes the City's budget process. Under that process, the Board of Supervisors and the Mayor must approve the City's budget each year.

The Mayor's Office of Housing and Community Development administers City programs to create and preserve affordable housing in San Francisco.

The Proposal: Proposition ___ would require the City to establish, fund and run a program to provide legal representation for all residential tenants in San Francisco whose landlords are attempting to evict them from where they live.

Proposition ___ would require the City to provide a lawyer for a tenant within 30 days after the tenant receives an eviction notice or a lawsuit seeking eviction, whichever is sooner. The lawyer would provide legal representation to the tenant until the notice is withdrawn or the lawsuit is resolved. Proposition ___ would not require the City to provide legal representation to tenants who reside in the same dwelling unit with their landlord.

Proposition ___ would require the Mayor's Office of Housing and Community Development to implement this program within 12 months after Proposition ___ becomes effective.

Proposition ___ would adopt a policy that, "San Francisco tenants facing an eviction from their home shall have a right to legal representation in eviction proceedings and the City and County shall provide such legal representation to tenants to assist in the fair administration of justice."

A "YES" Vote Means: If you vote "yes," you want to require the City to establish, fund and run a program to provide legal representation for all residential tenants in San Francisco whose landlords are attempting to evict them from where they live.

A "NO" Vote Means: If you vote "no," you do not want to make these changes.

**Working title, for identification only. The Director of Elections determines the title of each local ballot measure; measure titles are not considered during Ballot Simplification Committee meetings.*