

**From:** [Chan, Amy \(MYR\)](#)  
**To:** [Carr, Barbara \(REG\)](#)  
**Cc:** [Hartley, Kate \(MYR\)](#); [Ramirez, Hugo \(MYR\)](#); [Cheu, Brian \(MYR\)](#)  
**Subject:** RE: BSC draft digest  
**Date:** Wednesday, February 28, 2018 4:50:09 PM  
**Attachments:** [RTC Digest Final Recommendations - track changes.docx](#)  
[RTC Digest Final Recommendations - clean.docx](#)

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Hi Barbara,

Please find attached MOHCD's recommendations to the draft digest for the Right to Counsel ballot measure. I've included a clean and track changes versions.

Thanks,  
Amy

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**From:** Carr, Barbara (REG)  
**Sent:** Friday, February 23, 2018 10:44 AM  
**To:** Chan, Amy (MYR) <[amy.chan@sfgov.org](mailto:amy.chan@sfgov.org)>  
**Subject:** BSC draft digest

Hi, Amy. As promised. Please let me know if you have any questions. Thanks!

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## MOHCD's Draft Digest Recommendations for Ballot Simplification Committee

**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.~~ funds nonprofit organizations to provide the following legal services to San Francisco tenants who face eviction from their homes in eviction lawsuits. There are different levels of legal services provided to tenants at certain stages of the eviction process, but not all tenants have access to legal representation at all stages of the eviction process.

- All tenants have access to low-cost assistance with completing a required court form after they have been served an eviction lawsuit.
- All tenants have access to free legal representation for a mandatory settlement meeting before the lawsuit goes to trial.
- A limited number of eligible tenants have access to free legal representation at all stages of the eviction process.

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 the tenant does not move after receiving that eviction notice, by the end of this notice, ~~then~~ the landlord may file a lawsuit asking a court to order eviction.

~~The City's Charter establishes the City's budget process that sets the funding for all City programs. 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 create affordable housing opportunities for families and individuals and to strengthen our communities physically, socially, and economically.~~

**The Proposal:** Proposition \_\_\_\_ would require the City to establish, fund and run a program to provide legal representation for all stages of the eviction process for all residential tenants ~~in San Francisco whose landlords are attempting to evict them from where they live~~ facing eviction.

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 \_\_\_\_ Program ~~would not require the City to provide legal representation~~ be available to tenants who reside in the same dwelling unit with their landlord or master tenant. Funding for the program would be at the discretion of the Mayor and Board of Supervisors through the City's budget process.

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

## MOHCD's Draft Digest Recommendations for Ballot Simplification Committee

~~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 stages of the eviction process](#) for all residential tenants [facing eviction 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.

## **MOHCD's Draft Digest Recommendations for Ballot Simplification Committee**

**The Way It Is Now:** The City and County of San Francisco ("City") funds nonprofit organizations to provide the following legal services to San Francisco tenants in eviction lawsuits. There are different levels of legal services provided to tenants at certain stages of the eviction process, but not all tenants have access to legal representation at all stages of the eviction process.

- All tenants have access to low-cost assistance with completing a required court form after they have been served an eviction lawsuit.
- All tenants have access to free legal representation for a mandatory settlement meeting before the lawsuit goes to trial.
- A limited number of eligible tenants have access to free legal representation at all stages of the eviction process.

Before a landlord may evict a tenant, the landlord must give the tenant a written notice. If the tenant does not move by the end of this notice, the landlord may file a lawsuit asking a court to order eviction.

**The Proposal:** Proposition \_\_\_ would require the City to establish, fund and run a program to provide legal representation at all stages of the eviction process for all residential tenants facing eviction. Program would not be available to tenants who reside in the same dwelling with their landlord or master tenant. Funding for the program would be at the discretion of the Mayor and Board of Supervisors through the City's budget process.

Proposition \_\_\_ would require the City to implement this program within 12 months after it becomes effective.

**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 stages of the eviction process for all residential tenants facing eviction.

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