

**Ballot Simplification Committee
DRAFT for Consideration
Wednesday, August 6, 2008**

Tenant Harassment Policy

THE WAY IT IS NOW:

The City's Residential Rent Ordinance applies to most rental housing built before June 1979.

In general, the Rent Ordinance limits annual rent increases and requires "good cause" for landlords to evict tenants. The Rent Ordinance lists a number of "good cause" events that are valid grounds for eviction. When a rental unit is vacated voluntarily or by eviction, the landlord may set the rent at the market rate. Once a new tenant has rented the unit, the Rent Ordinance again limits annual rent increases.

Under state and local law, landlords are required to keep rental units habitable. Among other things, this means that units must have intact windows, doors, roofs, and walls; that units must have adequate plumbing, heating, water and electricity available; and that common areas must be clean and sanitary. This habitability requirement may be enforced by various penalties, including injunctions, rent reductions, and other civil or criminal penalties.

THE PROPOSAL:

Proposition ____ would amend the City's Residential Rent Ordinance to prohibit specific acts of tenant harassment, including a landlord's:

- failure to provide required housing services, repairs or maintenance;
- failure to safely complete repairs once they are begun;
- attempts to intimidate a tenant into vacating a rental unit;
- threats of physical harm to the tenant;
- violation of laws against discrimination;
- refusal to acknowledge receipt of a rent check, or refusal to cash a rent check for over 30 days; and
- request of information that could violate a tenant's right to privacy, including information about residence, citizenship status or social security number.

Proposition ____ would provide for enforcement by means of injunction, rent reduction, or civil or criminal penalties. In certain circumstances, Proposition ____ also provides for treble damages or punitive damages.

A “YES” VOTE MEANS: If you vote "yes," you want to amend the City's Residential Rent Ordinance to prohibit defined acts of tenant harassment by landlords and to provide for enforcement by means of injunction, rent reduction, civil or criminal penalties, or treble or punitive damages.

A “NO” VOTE MEANS: If you vote “no,” you do not want to make these changes to the Charter.

word count: 345 [suggested word limit: 300]