

Attachments

Census of Families Living in SRO Hotels Outreach Form 2001

HOTEL _____
 HOTEL ADDRESS _____
 HOTEL MANAGER _____
 PHONE NUMBER _____

DATE _____
 OUTREACH WORKER _____

Number of Families with Children (Approximate)	Source of Information	
	<input type="checkbox"/> Manager	<input type="checkbox"/> Tenant
	<input type="checkbox"/> Manager	<input type="checkbox"/> Tenant

Room #	# of Adults		# of Children				Ethnicity	Language	Interview?	Contact Name
	Women	Men	Trans-gender	Ages 0-5	Ages 6-12	Ages 13-15	Ages 16-18			
1.										
2.										
3.										
4.										
5.										
6.										
7.										

Notes _____

Attachment B

Interview Form

Interview Form - Families with Children Living in SRO Hotels in San Francisco

HOTEL NAME		SURVEYOR NAME		DATE SURVEYED			
HOTEL ADDRESS		NEIGHBORHOOD					
CAREGIVER 1		CAREGIVER 2					
NAME <input type="checkbox"/> M <input type="checkbox"/> F		NAME <input type="checkbox"/> M <input type="checkbox"/> F					
Caregiver 1's Preferred Language		Caregiver 2's Preferred Language					
<input type="checkbox"/> ENGLISH <input type="checkbox"/> SPANISH <input type="checkbox"/> TAGALOG <input type="checkbox"/> CANTONESE <input type="checkbox"/> MANDARIN <input type="checkbox"/> TOISON <input type="checkbox"/> VIETNAMESE <input type="checkbox"/> OTHER:		<input type="checkbox"/> ENGLISH <input type="checkbox"/> SPANISH <input type="checkbox"/> TAGALOG <input type="checkbox"/> CANTONESE <input type="checkbox"/> MANDARIN <input type="checkbox"/> TOISON <input type="checkbox"/> VIETNAMESE <input type="checkbox"/> OTHER:					
Caregiver 1's Source of Income		Caregiver 2's Source of Income					
<input type="checkbox"/> FULL-TIME JOB <input type="checkbox"/> TANF ONLY <input type="checkbox"/> GA <input type="checkbox"/> SSIP <input type="checkbox"/> PART-TIME JOB <input type="checkbox"/> CalWORKs with Employ Activities <input type="checkbox"/> PAES with Employ Activities <input type="checkbox"/> NO INCOME <input type="checkbox"/> SSI <input type="checkbox"/> Other:		<input type="checkbox"/> FULL-TIME JOB <input type="checkbox"/> TANF ONLY <input type="checkbox"/> GA <input type="checkbox"/> SSIP <input type="checkbox"/> PART-TIME JOB <input type="checkbox"/> CalWORKs with Employ Activities <input type="checkbox"/> PAES with Employ Activities <input type="checkbox"/> NO INCOME <input type="checkbox"/> SSI <input type="checkbox"/> Other:					
Estimated Total Monthly Income: \$		Rent per month: \$		Food per month: \$			
Children who are dependent upon you who live with you in this SRO							
#1	<input type="checkbox"/> M <input type="checkbox"/> F	AGE	SCHOOL or CHILDCARE CENTER/PROVIDER	#4	<input type="checkbox"/> M <input type="checkbox"/> F	AGE	SCHOOL or CHILDCARE CENTER/PROVIDER
#2	<input type="checkbox"/> M <input type="checkbox"/> F	AGE	SCHOOL or CHILDCARE CENTER/PROVIDER	#5	<input type="checkbox"/> M <input type="checkbox"/> F	AGE	SCHOOL or CHILDCARE CENTER/PROVIDER
#3	<input type="checkbox"/> M <input type="checkbox"/> F	AGE	SCHOOL or CHILDCARE CENTER/PROVIDER	#6	<input type="checkbox"/> M <input type="checkbox"/> F	AGE	SCHOOL or CHILDCARE CENTER/PROVIDER
Adults who are dependent upon you (other than caregiver 1 or 2) who also live in this SRO							
#8	<input type="checkbox"/> M <input type="checkbox"/> F	AGE	INCOME SOURCE	#9	<input type="checkbox"/> M <input type="checkbox"/> F	AGE	INCOME SOURCE
Total # of units in this SRO your family lives in				Total units in THIS SRO lived in by caregivers, children and dependent adults who are listed above:			
Family Living in Other SROs:				Total immediate family members (caregivers, children or dependent adults) NOT listed above who live in OTHER SROs:			
Do you have children <18 y.o. who are currently not living with you?				Yes...if yes, how many & their ages?			
Have you lived in your unit longer than 28 days?				Yes...if yes, for how long?			
Are you currently at risk of eviction at this hotel?				Yes...if yes, why?			
Are you currently on a waiting list for housing?				Yes...if yes, where?			
Over the past 2 years, where have you stayed? <input type="checkbox"/> STREET <input type="checkbox"/> CAR <input type="checkbox"/> SHELTER				<input type="checkbox"/> w/ FRIENDS <input type="checkbox"/> SRO HOTELS <input type="checkbox"/> APT. OR HOUSE <input type="checkbox"/> w/ RELATIVES <input type="checkbox"/> OTHER:			
Time since your family lived together in a "stable & safe" housing situation:						Years:	Months:
What is holding you back from moving your family into a better housing situation?							
<input type="checkbox"/> CREDIT PROBLEMS <input type="checkbox"/> EVICTION HISTORY <input type="checkbox"/> MOVE-IN COSTS <input type="checkbox"/> INSUFFICIENT INCOME				<input type="checkbox"/> LACK OF AFFORDABLE HOUSING <input type="checkbox"/> OTHER:			
Describe what this "better housing situation" looks like?							
Has living here caused or worsened your family's health?				Yes...if yes, how so (for example, asthma)? <input type="checkbox"/> No <input type="checkbox"/>			
Where do you get healthcare?				How often do you seek healthcare?			
Do you or any member of your family have a disability?				Yes...if yes, what disabilities? <input type="checkbox"/> No <input type="checkbox"/>			

Mission SRO Collaborative



Tenants Rights GUIDE



for residents of
SRO/residential hotels
in San Francisco



SRO HOTELS ARE SOME OF THE WORST PLACES TO LIVE IN THE CITY.

WHY? BECAUSE POOR FOLKS LIVE IN SROs. AND IN THIS CITY, POOR PEOPLE GET DISSSED AND DISRESPECTED DAILY. JUST LIKE EVERYONE ELSE, OWNERS AND MANAGERS OF SRO HOTELS HAVE BEEN GETTING AWAY WITH MAKING MONEY OFF TREATING POOR PEOPLE LIKE CRAP FOR A LONG TIME.

IT'S UP TO YOU TO DEFEND YOUR RIGHTS AND GET ORGANIZED WITH OTHER TENANTS TO BETTER THE CONDITIONS IN SRO HOTELS!



The following is a guide for tenants about their rights regarding common problems in SRO hotels. If you have any questions or want help, call St. Peter's Housing Committee:

in Centro del Pueblo, 474 Valencia Street # 156 (at 16th)

phone 415.487.9203

★ This guide is brought to you by the ~~Mission SRO Collaborative~~. ★

The collaborative is made up of three organizations: *Mission Housing Development Corporation* (415.864.6432) , which builds & maintains affordable housing, *Mission Agenda* (415.436.9707), which organizes SRO residents, and *St. Peter's Housing Committee* (415.487.9203), which provides tenant rights counseling. All of these organizations have Spanish speaking personnel.

We work together to empower residents to defend their rights and organize themselves to improve the conditions in SRO Hotels in the Mission District.

Organizing

Census of Families with Children Living in SROs in San Francisco

October 2001

- ❖ None of the tenant rights described in this book were handed to tenants on a silver platter. They were demanded and won by tenants who worked together to confront landlords and lawmakers in order to better their situation.

This is what organizing means: to **unite to fight**.

As you will see, many of these laws are still not fair or not enough. But they will not become fair all by themselves. It is up to SRO tenants to improve the conditions in SROs. YOU know the problems and YOU have the solutions.

- ❖ Do you want to address insufficient or unfair laws? Do you want to organize a Tenant Union to build community and improve the conditions in your hotel?

The first step is to get folks that are affected by the issue together to talk about the problems. But talking about what's wrong doesn't change anything. It's crucial to talk about the solutions and come up with a strategy of action to get what you want.

To get trained in organizing skills, you can participate in the Mission SRO Collaborative's leadership development program, 418 Valencia Street (between 15th & 16th), 415.255.4733.

To get involved in organizing hotel residents, visit or call the Mission Agenda: 2940 16th Street #204-205 (between Capp & South Van Ness), 415.436.9707.

Tenancy

- ❖ Once you have lived in the same room for 32 continuous days, you are a tenant. It's important to ask for and keep rent receipts. These will help you prove your tenancy. Bills addressed to you at your room number will also help you prove your tenancy.
- ❖ Make sure that your room is certified as a residential room and not a tourist hotel room (the certification should be posted at the front desk). If you are moving into a hotel, make sure you are given a residential room.
- ❖ After 32 days, a tenant is protected by the San Francisco Rent Ordinance (rent control law). This grants a series of safeguards for

tenants in buildings built before 1979. Basically all of San Francisco's unsubsidized SRO hotels were built way before 1979.

The following are rights that tenants have under Rent Control:

Contracts

- ❖ Leases and rental agreements are contracts between landlords and tenants. Oral contracts are just as valid as written contracts. But regardless of the kind of contract you have, you cannot be bound by contract to something that's against the law.

If you have a specific question related to your contract get in touch with St. Peter' Housing Committee*.

MUSICAL ROOMS

A landlord/manager may try to prevent you from becoming a tenant by making you move out and back in, or change rooms every 21 or 28 days. This game of "musical rooms" is illegal under California law.

What you should do if your landlord wants you to play musical rooms:

- ❖ Hurry! It's important to act quickly, so that you can stay in your room, according to your rights.
- ❖ Cite the law to the landlord/manager (California Civil Code Section 1940.1). Let the landlord/manager know that you will get legal help and they could be fined for breaking the law.
- ❖ Contact St. Peter's Housing Committee* or any of the other agencies of the Mission SRO Collaborative to combat musical rooms. We can help you report your situation to the City Attorney, who can prosecute landlords that routinely break the law by making tenants play musical rooms. You can reach the City Attorney's SRO investigator at 415.554.9186.
- ❖ Even if the City Attorney is not able to help you, you can still sue the landlord/manager in small claims court (400 McAllister Street, 415.551.3952). Under the California Civil Code a landlord/manager who makes you play musical rooms can be fined \$500. Your rent

receipts or bills with your name and address on them will be helpful to prove your tenancy in court.

In small claims court you will have to represent yourself, as will your landlord. St. Peter's Housing Committee* can help you prepare your case for small claims court. Other resources for small claims court questions are:

Small Claims Court Legal Advisor ⇒ 292.2124
New College of California Law School ⇒ 241.1300

heat

Landlords in San Francisco are required by law to provide heat from at least 5-11 am and 3-10 pm whenever the temperature drops below 68 degrees. You can get your rent reduced if you aren't getting enough heat. And your landlord can get nailed with civil and criminal penalties.

What to do if your room doesn't have adequate heat:

- ✿ Document any problems the lack of heat causes (like sickness).
- ✿ Cite the law to the landlord/manager (Section 701(c) of the San Francisco Housing Code). Let the landlord/manager know that you will get legal help and they could be fined for breaking the law.
- ✿ Contact St. Peter's Housing Committee* to help you draft a letter to your landlord.

Visitors

Visitor policies are currently under investigation, since there is no law about them, and they differ greatly depending on the hotel.

Some important facts about visitor policies:

- ✿ HOURS ⇒ If your hotel has visiting hours, they must be posted in the lobby.
- ✿ FEES ⇒ The landlord/manager cannot charge a fee during visitor hours. If you pay a fee to have a visitor, you are entitled to a receipt.
- ✿ ID ⇒ The landlord/manager can require guests to show their ID in order to get in to the hotel.

- ★ YOUR RESPONSIBILITIES ⇒ The resident is responsible for her/his visitor's actions while they are in the hotel.

repairs

Most SRO hotels are very old and in crappy condition. Many folks are too intimidated to complain. But as a tenant, you have a right to repairs.

What to do if you need repairs:

- ★ Notify the landlord/manager about the repairs you need. Telling him/her is good, but writing a letter is better, since it gives you proof that you notified your landlord. To write a letter, contact St. Peter's Housing Committee*.
- ★ If the landlord does not do the repairs, you and St. Peter's Housing Committee* can call the Department of Building Inspection, 415.558.6220, to come do an inspection and write up the landlord.
- ★ In some cases, you can file a Decrease in Services petition with the Rent Board. This petition says that because you have needed serious repairs for so long, you have lived without the basic services that a landlord owes you. If you can prove that you needed very serious repair, like a broken heater, rodent infestation, etc., the rent board can make the landlord reduce your rent until s/he makes the repair. If the problem goes back really far, they can even have your rent reduced for 3 or more years back.

rENT increases

- ★ In order to increase your rent, the landlord/manager must give you a valid written 30-day notice. Oral rent increases are illegal.
- ★ The annual rent increase that landlords are allowed to use changes each year. For example, the allowable rent increase in 2000 is 2.9 %. The Rent Board is the city agency that (among other things) sets the annual rent increase.

When the landlord charges the increase, the percentage is taken from your base rent (the initial rent you paid) every time. Landlords can add up any increases they did not use in previous years.

- ✖ Other types of increases, like passing improvement costs through to tenants or passing on utility costs to tenants, need the Rent Board's approval.

If you receive notice of a rent increase (written or oral) get in touch with St. Peter's Housing Committee*.

WITHOLDING RENT

- ✖ Don't do it! It's a bad idea. Although it's not fair to pay full rent for a crappy run down room, not paying rent just gives the landlord an excuse to evict you. You will get money from your landlord if you win your case at the rent board or in small claims court.

eviction

- ✖ Landlords use evictions more and more to make money off the housing crisis.

Every time they evict someone, they can set the rent for the vacant unit at whatever they want. SRO tenants have been hardest hit during this crisis. But landlords can't just evict because they feel like it, or by screaming at you or throwing your stuff into the hallway.

A landlord needs a just cause to evict a tenant, and needs to give the tenant a valid written notice. A landlord cannot evict with verbal/oral notice !! The eviction process does not start until you receive valid, written notice.

There are 14 reasons that a landlord can use to evict you. Each one of these is called a "just cause". The two just causes most often used by landlords to evict hotel tenants are nonpayment of rent and nuisance. In these cases, the landlord is trying to evict you because you owe rent or because you are causing a disturbance to your neighbors.

If you get an eviction notice, call St. Peter's Housing Committee* to discuss your rights and options.

The eviction process begins when you receive a valid written eviction notice. After this, a landlord has to follow a legal procedure called Unlawful Detainer. The owner must give you notice that he's planning to evict you by sending you a notice called a "Summons and Complaint." The length of time that the landlord gives you to respond will be one of the following:

3-DAY NOTICE (AT FAULT): This notice is what you would get if you haven't paid the rent and requires the tenant to pay the rent within three days or leave the room. If you pay within three days the eviction process ends as soon as you pay. If you cannot pay within three days, you can try to negotiate for more time. Make sure any arrangement is done in writing.

30-DAY NOTICE (NO FAULT): This notice is what you would get if you're being evicted for reasons other than non-payment of rent. In San Francisco, if the building is under the rent control, the owner must give a written explanation with a valid reason ("just cause") for the eviction.

If you do not move out within the notice period or, in the case of a three-day notice, if you don't pay the rent you owe, the landlord can start a lawsuit to evict you from the room. The landlord must then serve you with court papers known as the "Summons and Complaint." These papers must be "served" on you, that means you must have received them in your hand or had them posted on your door in order for the eviction process to be valid. You must respond within five days of being served with these papers to avoid having the Sheriff evict you within a few days. Contact the Eviction Defense Collaborative (415.986.9560, 942 Market Street, Suite 312, between 5th & Powell) as soon as you receive these documents. You will need professional help in order to respond to these documents appropriately. DO NOT ATTEMPT TO RESPOND TO THESE DOCUMENTS ON YOUR OWN.

harassment & other landlord/manager shenanigans

- ★ **PRIVACY** ⇒ Your landlord/manager needs your permission to enter your room. There are four situations in which s/he can enter your room without your permission, but s/he is still required to give you 24 hours advanced notice.

REPAIRS - to make repairs or improvements, to show the unit to workmen, contractors, people interested in renting or buying the unit, or to provide necessary services.

VACANCY - when the tenant has legally given up her/his rights to the unit.

COURT ORDER - if a court order gives them the right.

EMERGENCY - in case of a legitimate emergency (24 hours advanced notice is not required in this case).

If your landlord routinely enters your room illegally, call St. Peter's Housing Committee* for help stopping this.

❖ **LOCK OUTS & UTILITIES** ⇒ Without winning an eviction in court, It is illegal for your landlord/manager to shut off any of your utilities (water, electricity, etc.), lock you out, change your locks or remove your property. This violates Civil Code section 789.3 (b), and some of these actions are punishable by arrest and jail time.

What to do about a lock out:

- If you think your landlord/manager is likely to lock you out, carry your rent receipts or bills to your name with your address. These will help you prove that you are a tenant there.
- Call 911. It's the police's duty under police Penal Code 418 to get you back into your unit. Of course, since they are not used to defending poor people, getting them to come do their job usually will require a lot of education.
- Sue your landlord for damages. Lock-outs and utility shut-off cases are punishable by up to \$100 per day in damages.
- For help with lockouts & utility shut offs contact St. Peter's Housing Committee*.

❖ **OTHER HARASSMENT** ⇒ Landlords/managers try all kinds of crap, like visits to your room or workplace repeatedly and messing with your mail. The most important thing to do in this situation is to write it down, photograph it, or document it in some way.

Once you have this, consult with St. Peter's Housing Committee to let your landlord know that they will face legal consequences if they keep up their shenanigans.

ANNOYING NEIGHBORS & Roommates

★ Neighbors & roommates can be pretty difficult to live with sometimes. They can be noisy, nosy, messy or messed up. But they are still tenants, just like you are.

If you want help resolving a problem with a roommate or neighbor, call Community Boards at 415.552.1250. It is not court or a legal proceeding. It is a professional community mediation service, helping people work together to resolve problems.

Lead paint

★ Lead paint is present in most buildings in San Francisco, and in any building built before 1978. It is dangerous to anyone, but especially to children, since it seriously interferes with the development of their nervous system. The way kids get poisoned is through lead paint dust in the air or paint chips they put in their mouths.

It is important to test your child for lead poisoning regularly. For information on free lead poisoning testing call St. Peter's Housing Committee*.

OTHER Organizations THAT CAN HELP:

- ★ Chinese Progressive Association
415.391.6986, 660 Sacramento St. (between Kearny & Montgomery), Suite 202
- ★ Coalition for Low-Income Housing
415.487.3922, 1095 Market St., Suite 304
- ★ Coalition on Homelessness
415.346.3740, 468 Turk Street (near Larkin Street)
- ★ Eviction Defense Collaborative
415.986.9560, 942 Market St. Suite 312 (near 5th Street)
- ★ Health Department
415.252.3800, 1390 Market St. Suite 210
- ★ Hogares Sin Barreras / Housing Not Borders
415.861.7419, 2940 16th St. #323 (near Capp Street)

- ❖ Housing Rights Committee of San Francisco
415.398.6200, 942 Market St. (near 5th Street), Suite 203
- ❖ Human Rights Commission
415.252.2500, 25 Van Ness Ave. (near Market) Suite 800
- ❖ Legal Assistance to the Elderly
415.861.4444, 1453 Mission St. (between 10th & 11th) , Suite 500
- ❖ Mayor's Office on Homelessness
415.252.3136, 25 Van Ness (near Market), Suite 750
- ❖ Rent Stabilization & Arbitration Board
415.252.4601, 415.252.4600 (counseling), 25 Van Ness, (near Market) Suite 320
- ❖ San Francisco Tenants Union
415.282.5525, 558 Capp St. (near 20th)
- ❖ Saint Peter's Housing Committee
415.487.9203, 474 Valencia St #474 (near 16th)
- ❖ Tenderloin Housing Clinic
415.771.9850, 126 Hyde Street (near Golden Gate)

