



A new regulatory regime for San Francisco rental property owners beginning July 1, 2022

As part of San Francisco's data mining campaign, landlords will be required to share reams of information about their residential properties with the Rent Board. Only owners of buildings with 10 or more residential units need to report information at this juncture.

Time flies at warp speed. While it seems like it was ages ago, San Francisco lawmakers passed Ordinance No. 265, which became effective on January 18, 2021, and requires landlords to report certain information about their units to the Rent Board. Only now do we have to deal with it.

The stated purpose was to create and maintain a "housing inventory" of units in the city that are subject to the San Francisco Rent Ordinance. This is not dubbed a "rent registry" under the definition of California Civil Code Sections 1947.7 – 1947.8, but is instead called the "Rent Board Housing Inventory".

Information provided is not independently verified by the Rent Board and while the data is public record, the mailing address used by the property owner for tax purposes is kept private and no tenant names are collected.

Reporting requirements apply to all residential units in San Francisco, including single-family homes and owner-occupied units, not only units that are tenant-occupied.

Landlords who are renting to tenants receiving rental assistance through a government agency (HOPWA or Section 8, for example) should be aware that participation is required even though such units may not be fully subject to the rent increase limitations of the Rent Ordinance.

You might be asking why this matters. More than simply a helpful tool for the Rent Board to gather information, a landlord who fails to participate in the Rent Board Housing Inventory will not receive a rent increase license and be deemed ineligible to impose annual allowable and/or banked rent increases on a tenant.

Is the property rented or not? If so, how many units? This will dictate reporting requirements.



All owners of residential housing units, irrespective of the number of units

At a minimum, property owners must share with the Rent Board the mailing address of the unit and whether the unit is vacant or occupied by a non-owner.

Should the Rent Board be informed that the unit is occupied solely by the owners and not rented at any time, the matter is done - no further information will be needed.

If, however, the Rent Board is notified that the unit is non-occupied (because it is vacant, tenant-occupied, or used for some other purpose), additional information is required.



Owners with 10 or more rental units

Landlords must convey information on their properties to the Rent Board Housing Inventory by July 1, 2022, or risk having their newfound "license" to raise rent revoked.

That's right - if the landlord is not in good graces with the Rent Board, rents cannot be raised.

An update must be made to the Rent Board every March thereafter.



Owners of condominiums or buildings with fewer than 10 units have more breathing room

If you fall in this category, reporting is due by March 1, 2023, and every March thereafter.

The undercurrent is a distrust of larger, more sophisticated landlords, while mom-and-pop owners are afforded more time to comply with a complicated regulatory regime.



If a unit is not owner-occupied for whatever reason, the owner must disclose certain information to the Rent Board.

- a. The name and business contact information (address, phone number, email address) of the owner(s), or of the property manager, if any, designated by the owner(s) to address habitability issues;
- b. The business registration number for the unit, if any;
- c. The approximate square footage and number of bedrooms and bathrooms in the unit (to the best of the owner's or manager's knowledge);
- d. Whether the unit is vacant or occupied, and the date the vacancy or occupancy commenced;
- e. The start and end dates of any other vacancies or occupancies that have occurred during the previous 12 months;
- f. For tenant-occupied units, the base rent reported in \$250 increments, and whether the base rent includes payment of utilities by the landlord (e.g. water/sewer, refuse/recycling, natural gas, electricity, etc.); and;
- g. Any other information that the Rent Board deems appropriate following a noticed public meeting in order to effectuate the purposes of the Rent Ordinance.



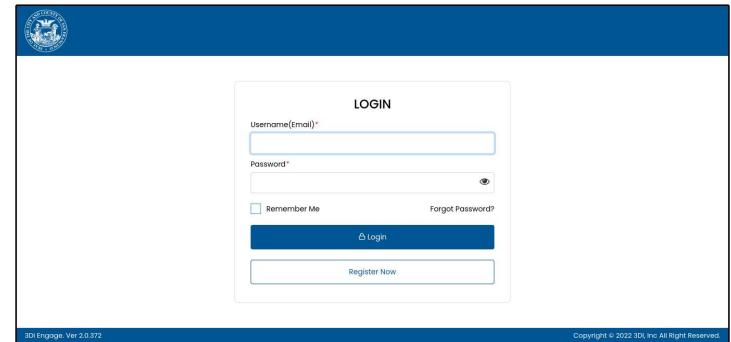
Owners are also required to inform the Rent Board within 30 days of any change in the name or business contact information of the owner or designated property manager.

Keep in mind:

Square footage is requested in 250 square foot increments and owners are asked to approximate the square footage to the best of their ability. [San Francisco's Property Information Map](#) may be helpful.

The owner must report the tenant's current monthly "base rent" in \$250 increments.

Base rent is monthly rent paid by the tenant for all housing and services provided by the landlord but does not include any temporary or fluctuating charges or pass-throughs authorized by the San Francisco Rent Ordinance.



Reporting must be done through the Rent Board's portal, which can also be used to pay Annual Rent Board Fees during the Fee cycle.

[Visit the portal →](#)



Property owners should have received a Rent Board Housing Inventory Notice in the mail, along with a PIN.

A PIN is associated with each Assessor's Parcel Number (block/lot). This PIN is necessary to submit information into the Inventory in the Rent Board's portal.

If the landlord owns multiple properties, there will be separate notices and PIN numbers for each Assessor's Parcel Number.

Lost or never received the Rent Board Housing Inventory Notice?

There is a counseling line available by calling 415-252-4600 ext. 5. You can request a new PIN.



Questions?

You have synergy. Contact the law firm built for landlords and the property management company that optimizes real estate investments while taking good care of tenants. One plus one isn't two. It's five.



Daniel Bornstein, Esq.
daniel@bornstein.law



Ethan Brown
ethan@baypropertygroup.com

BORNSTEIN LAW
BAY AREA REAL ESTATE ATTORNEYS

