

CITY OF SACRAMENTO

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May 1, 1986

Transportation and Community Development Committee  
City Council Chambers  
City Hall  
Sacramento, California 95814

Re: Emergency Ordinance Regulating Conversion/  
Demolition/Withdrawal of Residential  
Hotel Units

Committee Members in Session:

On March 25, 1986, a report from the Executive Director of the Redevelopment Agency to the City Council forwarding recommendations of the Redevelopment Commission regarding Downtown Residential Hotels was continued for one month.

In the meantime, the City Attorney has prepared an ordinance consistent with the Commission's recommendations.

The ordinance is presented for committee review prior to the matter's being returned to the May 20 council agenda.

Respectfully submitted,

JAMES P. JACKSON  
City Attorney

Approval Recommended:

\_\_\_\_\_  
SOLON WISHAM, JR.  
Assistant City Manager

By   
\_\_\_\_\_  
DIANE B. BALTER  
Deputy City Attorney

DBB:rmm

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May 1, 1986

City Council  
City Hall  
Sacramento, CA 95814

**SUBJECT: EMERGENCY ORDINANCE REGULATING CONVERSION/DEMOLITION/  
WITHDRAWAL OF RESIDENTIAL HOTEL UNITS (SRO's)**

Honorable Members in Session:

## **SUMMARY**

This report presents an ordinance regulating the conversion and demolition of residential hotel units in the Uptown Redevelopment Project Area.

## **BACKGROUND**

Beginning in July, 1983, this Council has enacted a series of moratoria preventing the conversion or demolition of residential hotels while the City studied and considered the adoption of a policy embodied in an ordinance which would permit the conversion or demolition of residential hotels under certain conditions. The current moratorium expires on May 31, 1986.

On March 25, 1986, you received from the Executive Director of the Sacramento Housing and Redevelopment Agency a report, approved by the Housing and Redevelopment Commission, outlining concepts for a recommended ordinance. The concepts were developed after meetings with interested persons and three public hearings by the Housing and Redevelopment Commission.

The Department of Public Works conducted an initial study of the ordinance concept, concluded that the ordinance would have no significant impact on the environment, and prepared and circulated a Negative Declaration. This Council adopted the Negative Declaration on April 29, 1986.

The City Attorney has prepared the attached ordinance in conformity with the concept report submitted to the Council on March 25.

**ORDINANCE PROVISIONS**

The proposed ordinance requires the owner of a residential hotel to pay relocation benefits and provide replacement housing whenever a residential hotel unit is converted, demolished or withdrawn from rent or lease.

**MAJOR ELEMENTS:**

**Hotels Covered:** All hotels within the Uptown Redevelopment Project Area that have been residential hotels at any time since July 5, 1982.

**Units Covered:** All residential hotel units, except that replacement housing requirements shall not apply to units being used for transient occupancy as of July 5, 1982. Owner shall have the burden to show transient use, via transient occupancy tax records and other documentation.

**Tenants Eligible for Relocation Benefits:** The current or last permanent resident (32 days or more) of each unit, unless the last permanent resident left voluntarily or was evicted with just cause.

**Relocation Benefits:** \$1,500.00 per person, or \$2,500.00 for two or more persons residing in one room. Where there is an eligible past resident who cannot be located by the owner, 80% of the relocation benefits due shall be paid to SHRA, which shall deposit the money in a Relocation Assistance Fund if not claimed by the tenant within one year.

**Replacement Housing Requirements:** One-for-one replacement of units with new, rehabilitated or converted units of comparable size and amenities. Replacement units must be:

1. Affordable to very-low-income persons for at least five years;
2. Offered for rent or lease for at least fifteen (15) years;
3. Located in the area bounded by 5th, G, 21st and P Streets.

Redevelopment Agency staff does not support the Commission recommendation to confine replacement housing to the area bounded by 5th, G, 21st and P Streets. Staff recommends that replacement housing be permitted anywhere within the City, consistent with zoning and other

applicable regulations, which meets location criteria appropriate for typical residential hotel residents. The staff recommendation would substitute the following provision for existing 73.106(e):

(e) Replacement housing may be located anywhere in the City of Sacramento, if in compliance with applicable zoning and other regulations. To the extent feasible, replacement housing shall satisfy the following locational criteria:

- a. Proximity to elderly nutrition sites.
- b. Proximity to inexpensive restaurants.
- c. Proximity to appropriate retail establishments and commercial services.
- d. Proximity to social services.
- e. Proximity to senior centers.
- f. Availability of public transportation.
- g. Neighborhood safety.
- h. Proximity to downtown.

**Contribution to Housing Replacement Funds:** Instead of providing replacement housing, an owner may contribute to the SHRA Housing Replacement Fund an amount equal to 40% of the cost of building new replacement units.

**Housing Replacement Fund:** Owner contributions in lieu of providing replacement housing shall be used by the Housing and Redevelopment Agency to construct or rehabilitate housing units affordable to very-low-income single persons according to the same criteria of location, affordability and longevity applicable to owner-provided replacement units.

**Conversion Certificate:** An owner who plans to convert or demolish a hotel shall apply to the City Council for a conversion certificate. The Council issues the certificate if the owner has complied, or sufficiently guarantees compliance, with the requirements of the ordinance.

**Variance Procedures:** The Council may grant a variance if complying with all of the relocation and replacement requirements would create an unreasonable economic hardship, if the measures

required of the owner will substantially mitigate the effects of withdrawal of the units, and if the variance is not greater than necessary to relieve the economic hardship.

Historic Preservation: The ordinance does not supersede Chapter 32.

Involuntary Withdrawal of Units Pursuant to Abatement, etc.: The ordinance requirements apply unless the condition causing the withdrawal was beyond the control of the owner.

Non-Compliance. Procedures for accepting complaints of non-compliance shall be set up. Non-compliance with the conditions of a conversion certificate is grounds for revocation of any permit which required prior or contemporaneous issuance of a conversion certificate.

COMMITTEE REVIEW

RECOMMENDATION

It is recommended that the Council adopt the proposed ordinance as an emergency measure.

Respectfully submitted,

JAMES P. JACKSON  
City Attorney

By: \_\_\_\_\_

DIANE B. BALTER  
Deputy City Attorney

RECOMMENDATION APPROVED:

\_\_\_\_\_  
WALTER J. SLIPE  
City Manager

D-1  
May 20, 1986

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE ADDING CHAPTER 73 TO THE CITY CODE, RELATING TO REGULATION OF RESIDENTIAL HOTEL UNIT CONVERSION AND DEMOLITION AND DECLARING SAID ORDINANCE TO BE AN EMERGENCY ORDINANCE TO TAKE EFFECT IMMEDIATELY

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

## SECTION 1

Chapter 73 is hereby added to the Sacramento City Code, to read as follows:

### Chapter 73

#### Residential Hotel Unit Conversion and Demolition

##### Section 73.100 Purpose.

It is the purpose of this chapter to mitigate the adverse effects on displaced low income, elderly and disabled persons and on the housing supply caused by withdrawal from rent or lease of residential hotel units in the downtown area by:

1. Regulating the demolition and/or conversion of residential hotels in the Uptown Redevelopment Project Area.
2. Ensuring comparable replacement housing, affordable to very low income persons, in the event of withdrawal, conversion or demolition.
3. Ensuring the provision of relocation assistance to tenants, in the event of withdrawal, conversion or demolition.

##### Section 73.101 Findings.

1. There is a shortage of decent, safe, sanitary and affordable rental housing for very low-income persons in the city.
2. In 1961, there were approximately 78 hotels in the downtown area. Most of these were residential hotels. Since then, two

new transient hotels have been built. Sixty-three hotels have been demolished or converted to commercial uses. The majority were residential hotels.

3. In 1960, residential hotels provided 3,558 housing units. By 1980, there were only 988 residential hotel units left, a net loss of 2,570 units.

4. There are 15 operating residential hotels in the downtown area.

5. Residential hotels provide permanent housing for very low-income persons, many of whom are elderly or disabled.

6. A high percentage of the residential hotel units are occupied by non-transient long-term city residents.

7. The continued displacement of those persons, by further reduction of the number of residential hotel units, without provision of affordable replacement housing, is contrary to the best interests of the city.

8. There is a mounting market pressure to demolish or convert the remaining residential hotels.

9. Loss of remaining residential hotel units, without relocation assistance, would have an adverse effect upon displaced residents, most of whom have very low incomes, in that costs of moving and locating comparable accommodations would be a financial hardship for low income and very low income persons.

10. Loss of remaining residential hotel units would place increased pressure on the supply of housing which is affordable to persons of very low income. Displaced persons would have difficulty locating comparably priced housing in suitable locations.

11. Loss of remaining residential hotel units could contribute to homelessness within the Sacramento area.

12. Low-income housing in the downtown area is a diminishing resource.

13. It is in the public interest that demolition and/or conversion of residential hotels be regulated, in order to protect the resident tenants and to conserve the limited housing resources.

14. Because of the above conditions, there exists a housing emergency which necessitates that the existing number of residential hotel units be maintained.

15. Preservation of residential hotel units is consistent with and implements the adopted policies and recommended programs contained in the City's General Plan Housing Element, the Redevelopment

Plan for the Downtown Area, and the Final Report of the Downtown Elderly and Transient Housing Task Force.

Section 73.102 Definitions.

(a) Director: \_\_\_\_\_, or the \_\_\_\_\_'s designee.

(b) Just Cause: Failure to pay rent after service of a three-day notice; failure to comply with reasonable terms of a lease or rental agreement; committing waste or creating a nuisance; using the premises for an illegal purpose.

(c) Net Rentable Residential Square Footage: The square footage of the unit or units withdrawn plus a proportionate share of common areas in the building necessary for and supportive of the residential function.

(d) Permanent Resident: A person who occupies a residential hotel unit for at least 32 consecutive days.

(e) Posting: Where posting of a notice is required by this chapter, the notice shall be posted in a conspicuous location at the front desk in the lobby of the hotel, or if there is no lobby, in the primary public entrance way.

(f) Residential Hotel: Any building containing six or more rooms intended or designed to be used, or which are used, rented, or hired out, to be occupied, or which are occupied, for sleeping purposes by tenants, which is or may be the primary residence of such tenants, provided that a majority of these rooms are residential hotel units. Residential hotel does not include any hotel which is primarily used by transient guests who do not occupy the hotel as their primary residence. Also known as Single Room Occupancy (SRO) Hotel.

(g) Residential Hotel Unit: A room in a residential hotel intended or designed to be used, or which is used, rented, or hired out, to be occupied, or which is occupied for sleeping purposes by a tenant, and which lacks either or both a self-contained kitchen or bathroom.

(h) Uptown Redevelopment Project Area:

All that portion of the City of Sacramento, County of Sacramento, State of California, described as follows:

Beginning at the intersection of the center line of I Street with the center line of 18th Street; thence westerly along the center line of I Street to its intersection with the center line of 7th Street; thence southerly along the center line of 7th Street to its intersection with the westerly



projection of the northerly line of Merchant Street; thence easterly along the northerly line of Merchant Street to its intersection with the northerly projection of a line parallel to and two feet westerly from the east line of Lot No. 7 in the block J, K, 7th and 8th Streets; thence southerly along said line to its intersection with the southerly line of K Street; thence westerly along the southerly line of K Street to its intersection with the easterly line of 6th Street; thence southerly along the easterly line of 6th Street to its intersection with the center line of Capitol Mall; thence easterly along the center line of Capitol Mall to its intersection with the center line of 7th Street; thence northerly along the center line of 7th Street to its intersection with the westerly projection of the center line of the alley in the block L Street, Capitol Avenue, 7th and 8th Streets; thence easterly along the center line of the alley between the blocks L Street and Capitol Avenue and 7th and 9th Streets to its intersection with the center line of 9th Street; thence northerly along the center line of 9th Street to its intersection with the center line of L Street; thence easterly along the center line of L Street to its intersection with the center line of 13th Street; thence northerly along the center line of 13th Street to its intersection with the center line of J Street; thence easterly along the center line of J Street to its intersection with the center line of 14th Street; thence southerly along the center line of 14th Street to its intersection with the center line of L Street; thence easterly along the center line of L Street to its intersection with the center line of 18th Street; thence northerly along the center line of 18th Street to its intersection with the center line of I Street and the point of beginning.

(i) Withdrawal of Residential Hotel Unit From Rent or Lease: Changing the use of any residential hotel unit, whether occupied or vacant, to a use which is not a residential hotel unit; the demolition or destruction of any residential hotel unit, whether occupied or vacant; or the failure to offer publicly and in good faith a residential hotel unit for rent or lease to persons desiring to occupy the unit as a permanent residence; provided, however, that the temporary failure to offer a unit for rent or lease in order to accomplish needed maintenance or repairs shall not be considered a withdrawal.

Section 73.103      Application of Chapter.

(a) This chapter shall apply to any building located within the Uptown Redevelopment Project Area which has been used as a residential hotel at any time on or after July 5, 1982.

(b) This chapter shall apply to every residential hotel unit within a subject building, except as provided in subsection (c).

(c) There shall be exempted from the housing replacement requirements of this chapter that number of units in each residential hotel which, on July 5, 1982, were reserved for rental to transient guests and not to permanent residents; provided, however, that exemption shall be permitted only if the owner makes application for exemption within sixty (60) days of the effective date of this chapter pursuant to Section 73.107. No later application for exemption, whether by one who is an owner at the time this chapter goes into effect, or by a subsequent owner, shall be considered.

Section 73.104 Requirements Upon Withdrawal.

Upon withdrawal from rent or lease of any residential hotel unit subject to this chapter, the owner shall comply with the relocation benefits requirements of Section 73.105 and the replacement housing requirements of Section 73.106.

Section 73.105 Relocation Benefits.

Upon withdrawal of one or more residential hotel units from rent or lease, the owner shall pay relocation benefits as provided in this section.

(a) Eligibility. Relocation benefits shall be paid to the current occupant of each unit withdrawn if the occupant occupied the withdrawn unit, or another unit within the same building, for 32 consecutive days or more immediately prior to the withdrawal.

If the current occupant is not eligible, or if the unit is vacant, relocation benefits shall be paid to the most recent past permanent resident of the unit if:

- (i) Such tenant occupied the unit within one year prior to the withdrawal, and
- (ii) The tenancy of such tenant was terminated without just cause or the tenant voluntarily vacated the premises within sixty (60) days after receiving a notice of rent increase.

No relocation benefits shall be payable to any person who becomes a tenant of a unit after a preliminary notice of intention to apply for conversion certificate required by Section 73.110 is given as to that unit, if the owner personally serves a copy of the notice on the tenant prior to occupancy, and who occupies the unit for less than one year. The owner shall obtain written acknowledgment of service of the notice on the tenant.

(b) Amount and Time of Payment of Relocation Benefits. The owner shall make a cash payment of relocation benefits to each eligible tenant in the amount of \$1,500.00 per person, or \$2,500.00 for two or

more persons occupying the same room. At the option of the tenant, the payment shall be deposited with the Housing Authority of the City of Sacramento for disbursement to the tenant on terms requested by the tenant.

In the case of withdrawal of an individual unit, payment shall be made to the current tenant on or before the date the tenant is required to vacate the unit. If there is no current tenant, payment shall be made to an eligible past tenant within thirty (30) days after the unit is withdrawn.

In the case of application for a conversion certificate, payment shall be made to current tenants on or before the date the tenants are required to vacate the units and payment shall be made to eligible past tenants within thirty (30) days after issuance of the conversion certificate.

(c) Adequate Guarantees. Issuance of a conversion certificate shall be conditional upon the provision of adequate guarantees for payment of all relocation benefits, such as the posting of an irrevocable letter of credit, performance bond, or comparable security.

(d) Payment to Relocation Assistance Fund. In the event that there is a tenant eligible for relocation benefits who cannot be located by the owner, a sum equal to 80% of the relocation benefits payable to the tenant shall be deposited in the Housing Authority of the City of Sacramento Relocation Assistance Fund. If not claimed by the eligible tenant within one year after deposit, the funds shall be used for emergency relocation assistance to persons of very low income.

#### Section 73.106 Replacement Housing.

Upon withdrawal of one or more residential hotel units from rent or lease, the owner shall provide replacement housing as required by this section.

(a) One-For-One Replacement. Replacement housing shall be provided on a one-for-one basis for each unit by any, or a combination, of the following methods. Replacement units shall be comparable in size and amenities and available for rent or lease to any very low income person.

1. Construction of new residential units.
2. Rehabilitation of residential units which have been continuously vacant for three years or more.
3. Conversion of a non-residential structure to residential units.

(b) In Lieu Contribution. In lieu of providing replacement units, the owner may contribute to the Housing Authority of the City

of Sacramento Housing Replacement Fund a sum equal to forty percent (40%) of the cost of replacing the net rentable residential square footage withdrawn, including cost of construction plus site acquisition. Cost of replacement shall be the estimated development cost (per net square foot and exclusive of site acquisition) of newly constructed, average quality residential units in the City as established by the \_\_\_\_\_, plus a factor of 25% of the estimated development cost for site acquisition.

(c) Affordability. A replacement unit shall be affordable to single persons of very low income for at least five (5) years after it is initially offered for rent or lease. A unit shall be deemed affordable to single persons of very low income if the rent for the unit does not exceed the allowable fair market rent for a residential hotel unit under the Section 8 Existing Program as established by the Department of Housing and Urban Development.

(d) Longevity. A replacement unit shall be publicly offered for rent or lease to persons desiring to occupy it as a permanent residence for at least fifteen (15) years after it is initially offered for rent or lease.

(e) Location. Replacement housing shall be located in the area bounded by 5th, G, 21st and P Streets.

(f) Time of Completion. Construction of replacement housing or contribution to the Housing Replacement Fund shall be completed within two (2) years after the withdrawal of the unit to be replaced or issuance of a conversion certificate, whichever occurs first.

(g) Rights of Displaced Tenants. Tenants displaced by withdrawal of units shall be given a right of first refusal to occupy replacement units.

(h) Adequate Guarantees. Issuance of a conversion certificate shall be conditional upon the provision of adequate guarantees for completion of replacement housing, such as the posting of an irrevocable letter of credit payable to the Housing Authority of the City of Sacramento, performance bond or comparable security, and upon the recording of documents deemed necessary by the city attorney to fulfill the intention of this chapter.

(i) Use of Housing Replacement Fund. Monies deposited in the Housing Replacement Fund shall be administered by the Housing Authority of the City of Sacramento and shall be used to construct or rehabilitate housing units affordable to very low income single persons in accordance with the criteria of subsections (a), (c), (d), (e), and (g) of this section.

Section 73.107 Information to be Provided by Owner; Determination By Director.

Within sixty (60) days after the effective date of this chapter, the owner of every hotel subject to this ordinance shall provide to

the director, on a form provided by the director, the following information:

- a. Total number of rentable units in the hotel.
- b. Number of residential hotel units.
- c. Number of residential units claimed to be exempt from housing replacement requirements pursuant to Section 73.103(c), along with supporting documentation evidencing reservation of said number of units for rental to transients as of July 5, 1982, including, but not limited to, records of transient occupancy tax paid to the City.

Thereafter, for each hotel, the director shall determine the number of residential hotel units subject to this chapter and the number of residential hotel units which are exempt from the housing replacement requirements pursuant to Section 73.103(c).

Notice of the director's determination shall be posted in the hotel for thirty (30) days and mailed to the owner and to any person who makes an advance written request for such notice. Any interested person may request redetermination of the director's decision hereunder within thirty (30) days after it is issued and upon such request director shall hold an informal hearing, take evidence from interested parties, and thereafter issue a redetermination of the number of units subject to the ordinance and the number of units exempt from the housing replacement requirements pursuant to Section 73.103(c). The director's decision shall be final.

Every sleeping room within a residential hotel shall be rebuttably presumed to be a residential hotel unit. The owner shall have the burden of proving by a preponderance of the evidence that a sleeping room is not a residential hotel unit or that a unit was reserved for rental to transients as of July 5, 1982.

If the owner fails to provide the information required by this section within the time provided, the director shall proceed in such manner as the director may deem best to obtain facts and information upon which to base a determination. The determination shall be posted, mailed, and subject to redetermination upon request as provided hereinabove.

Section 73.108      Notice of Withdrawal.

(a) Prior to withdrawing from rent or lease any residential hotel unit covered by this chapter, the owner shall:

- (i) give written notice of the planned withdrawal to the director and to the current or most recent permanent resident of the unit; and

(ii) comply with the relocation benefits and replacement housing requirements of this chapter.

(b) The notice required by this section shall contain, as to each unit to be withdrawn:

- (i) The name of the current tenant and the date of the tenant's occupancy in any room of the hotel; or, if the current tenant is not a permanent resident, the name and last-known address of the most recent permanent tenant, the dates of occupancy, the reason for termination of the tenancy, and whether the owner had served a notice of rent increase within sixty (60) days prior to termination of the tenancy.
- (ii) A statement that relocation benefits may be available to the tenant pursuant to this chapter.
- (iii) The net rentable residential square footage to be withdrawn.
- (iiii) The date the unit will be withdrawn.
- (iiiii) The owner's plans for meeting the relocation benefits and housing replacement requirements of this chapter, including provision of adequate performance guarantees.

(c) The director shall monitor the owner's compliance with the owner's relocation benefit and housing replacement plans.

#### Section 73.109 Conversion Certificate.

No building permit, demolition permit, special permit or other land use entitlement which would result in withdrawal from rent or lease of one or more residential hotel units shall be issued for a building subject to this ordinance unless the City Council issues a conversion certificate indicating that the owner has complied with all requirements of this chapter, or has provided satisfactory guarantees of future compliance.

The application for conversion certificate shall be made to the director and shall contain:

1. The name of each permanent resident currently residing in the building and a list of names and last-known addresses of the last permanent resident to reside in each vacant unit and each unit not currently occupied by a permanent resident, including the dates of occupancy, whether the tenancy was terminated by the owner or the tenant, the reason for termination, and whether a notice of rent increase had been given to the tenant within sixty (60) days prior to termination.

2. Evidence that the preliminary notice required by Section 73.110 was given at least sixty (60) days prior to submission of the application and posted for at least sixty (60) days prior to submission of the application.

3. The number and net rentable residential square footage of the residential units to be withdrawn, including the net rentable residential square footage of any residential units previously withdrawn for which the owner has not met the replacement housing and relocation benefits requirements of this chapter.

4. A listing of the relocation benefits paid or to be paid by the owner in compliance with this chapter, indicating the recipient, amount, date of actual or proposed payment.

5. A description of the housing replacement measures to be undertaken by the owner in compliance with this article, including a sufficient guarantee of future performance.

Section 73.110 Preliminary Notice to Tenants.

At least sixty (60) days prior to applying for a conversion certificate, the owner shall provide individual notices to each permanent resident of the building, and to the last permanent resident of each vacant unit and each unit not occupied by a permanent resident.

The notice shall include:

1. A statement that the owner is applying for a conversion certificate.

2. A statement that the tenant or former tenant may be eligible for relocation benefits pursuant to this chapter, and will have a right of first refusal to occupy comparable replacement units provided.

3. A statement that tenants will receive notice of the hearing to be held by the City Council and will have the right to appear at or be represented at the hearing.

4. A statement that tenants have the right to occupy a residential hotel unit for sixty (60) days after issuance of a conversion certificate.

The preliminary notice also shall be posted for sixty (60) days prior to submission of the application.

Section 73.111 Consideration of Application; Issuance of Conversion Certificate.

The application shall be considered at a hearing of the City Council. Notice of the hearing shall be posted by the owner for at least fifteen (15) days prior to the hearing and shall be mailed by

the director at least fifteen (15) days prior to hearing to each tenant and former tenant to whom preliminary notice was required to be given under Section 73.110. Notice of the hearing shall be mailed by the director at least fifteen (15) days before the hearing to anyone who has submitted a written request for notices of hearings held pursuant to this section to the director no less than twenty (20) days prior to the hearing.

The council shall issue a conversion certificate if it finds that the applicant has complied with all requirements of this chapter.

A conversion certificate shall provide that tenants occupying the building on the date of issuance shall have the right to continued occupancy for at least sixty (60) days at the same rental rate in effect on the date of issuance subject to eviction for just cause.

Section 73.111 Effect of Non-Compliance.

The failure of the owner to comply with any condition imposed upon the conversion certificate or any obligation imposed by this chapter shall be grounds for revocation, suspension, or cancellation of any permit or land use entitlement which required prior or contemporaneous issuance of a conversion certificate.

Section 73.112 Administrative Relief.

The council may grant a variance from the requirements of this chapter and issue a conversion certificate to an owner who does not comply with all of the requirements of this chapter, if the council finds that:

- (i) because of the circumstances applicable to the subject building, including but not limited to the size, location or surroundings of the building, the strict application of the relocation benefits and replacement housing requirements would create an unreasonable economic hardship; and
- (ii) the variance, as granted, substantially mitigates the effects of withdrawal of the units from rent or lease; and
- (iii) the variance, as granted, does not provide more relief from the requirements of this chapter than is necessary to relieve the unreasonable economic hardship.

Section 73.114 Preservation of Historic Structures.

This chapter does not supersede the requirements of Chapter 32 of the City Code, Preservation of Historic Structures.



Section 73.115            Involuntary Withdrawal or Abatement.

The requirements of this chapter shall apply to the withdrawal of units as the result of abatement by public authorities or other involuntary circumstances, unless the condition causing the withdrawal was beyond the control of the owner.

Section 73.116            Complaints of Non-Compliance.

The director shall establish a procedure for accepting complaints of non-compliance with the requirements of this chapter from tenants and other interested persons.

SECTION 2.

This ordinance is an emergency ordinance. The facts constituting the emergency are that expiration of a moratorium ordinance preventing conversion or demolition of residential hotels pending adoption of this ordinance is imminent. Unless this ordinance takes effect immediately, the benefits it is intended to accomplish could be lost and its purpose entirely frustrated by property owners seeking to convert or demolish hotels during the period between the expiration of the moratorium and the effective date of this ordinance.

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MAYOR

ATTEST:

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CITY CLERK