

UPDATE

OLD SAINT MARY'S HOUSING COMMITTEE NEWSLETTER

February, 1986
Vol. III, No. 2

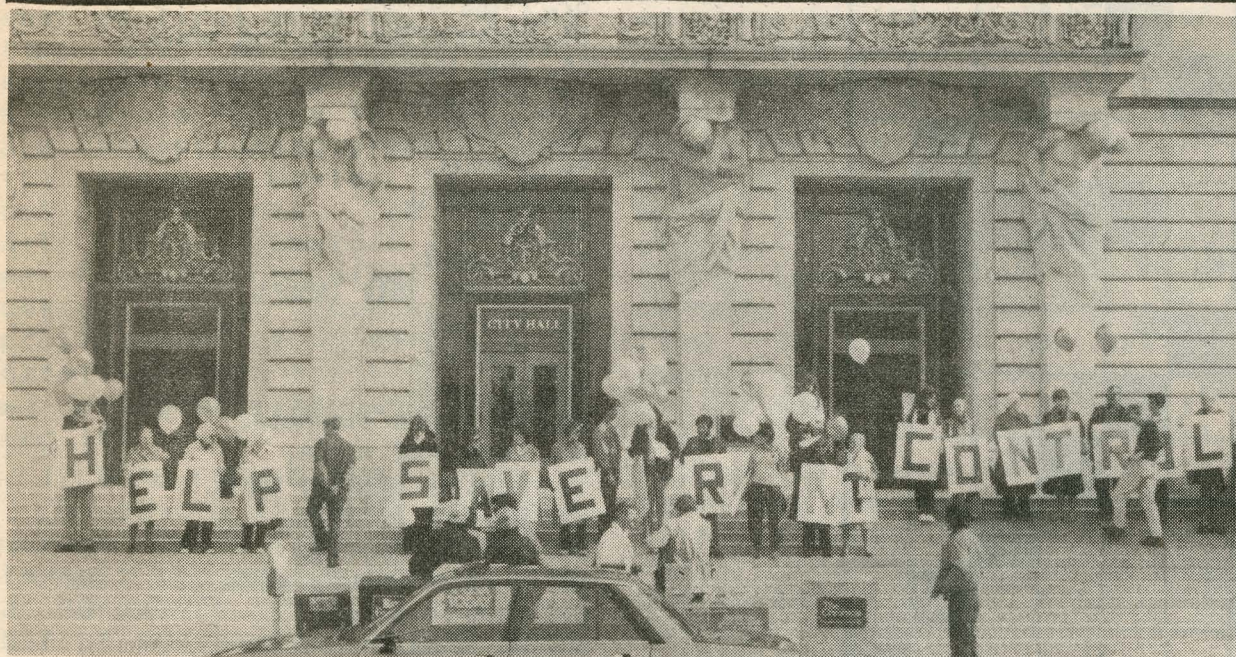
660 California Street at Grant



San Francisco, California 94108



(415) 398-0724



Our Human Billboard at City Hall drew public attention to the anti-rent control bill, AB483. See story on back page.

Help save rent control Hearing January 31

On Friday, January 31st, thousands of tenants from San Francisco, Oakland, Berkeley and other bay area cities will descend upon the Calvin Simmons Theater in Oakland for the Senate Judiciary Committee's Interim Hearing on Assembly Bill 483. The date and location of this hearing was changed from January 17.

Once again, Assembly Bill 483, sponsored by Assemblyman Jim Costa from Fresno, is the giant real estate lobby's attempt to get their way in Sacramento by enacting a state rent control law that preempts local ordinances.

The hearing, called at the request of Senator Nicholas Petris (Oakland) and Senate Pro Tem David Roberti (Hollywood), is to encourage testimony from local constituents describing the effects of this important bill. Another hearing was held in West Hollywood last month.

"It is very crucial that as many tenants as possible attend this interim hearing in Oakland," said Bruce Livingston, co-chair of the OSMHC Issues Action Committee. He explained that "although this is not an official hearing of the Senate Judiciary Committee and no formal vote will be taken, it is a great opportunity for us to show our complete opposition to the bill by turning out massive numbers of tenants. Then they [the Senators] will know how the

voters and their constituents feel about the bill, and will remember when it comes time for them to cast their votes."

The Old St Mary's Housing Committee is coordinating many of the activities for the day of the hearing. Buses will be leaving from various San Francisco locations at 8:00 AM on Friday, the 31st. To reserve a seat, please call 398-0724. A huge rally is planned outside the Calvin Simmons Theater beginning at 9:00 AM. The hearing is at 10:00 AM. Buses will return to San Francisco sometime around noon.

The Senate must vote on this bill by the spring of this year, otherwise it becomes a dead issue. We must keep the heat on if we want to save local rent control.

Even if you cannot attend the hearings in Oakland on January 31st, you can still help by writing one or more of the Senate Judiciary Committee Members and urging them to vote NO on AB 483. □

Address:
Senator _____
State Capitol
Sacramento CA 95814

Committee:
Bill Lockyer - Chair
Ed Davis, John Doolittle,
Barry Keene, Milton Marks,
Nicholas Petris,
Robert Presley, Art Torres,
Diane Watson, HR Richardson

OSMHC endorses Chinatown plan

by Charles Rathbone

"The goal of this plan is to preserve the best of Chinatown and encourage growth which benefits the community."

- Chinatown Community Plan

Old St Mary's Housing Committee has endorsed a Chinatown development plan that balances the needs of the residents and business. Known as the Chinatown Community Plan, the proposal was produced by Asian Neighborhood Design, the Chinese Chamber of Commerce and the Chinatown Neighborhood Improvement Resource Center.

Louise Squeri of OSMHC described the plan as "practical and realistic. It comes from neighborhood groups and considers the needs of the community, the homes of the people and the character of the shops."

The plan is a response to speculative pressures that threaten to destroy Chinatown as a community. As evidence, the authors cite sevenfold increases in commercial rents, the sale of small buildings for more than two million dollars and the loss of 1700 housing units in the 1970's.

Specific recommendations include:

- prohibit upper story conversions to commercial uses;
- replace demolished housing with rent controlled

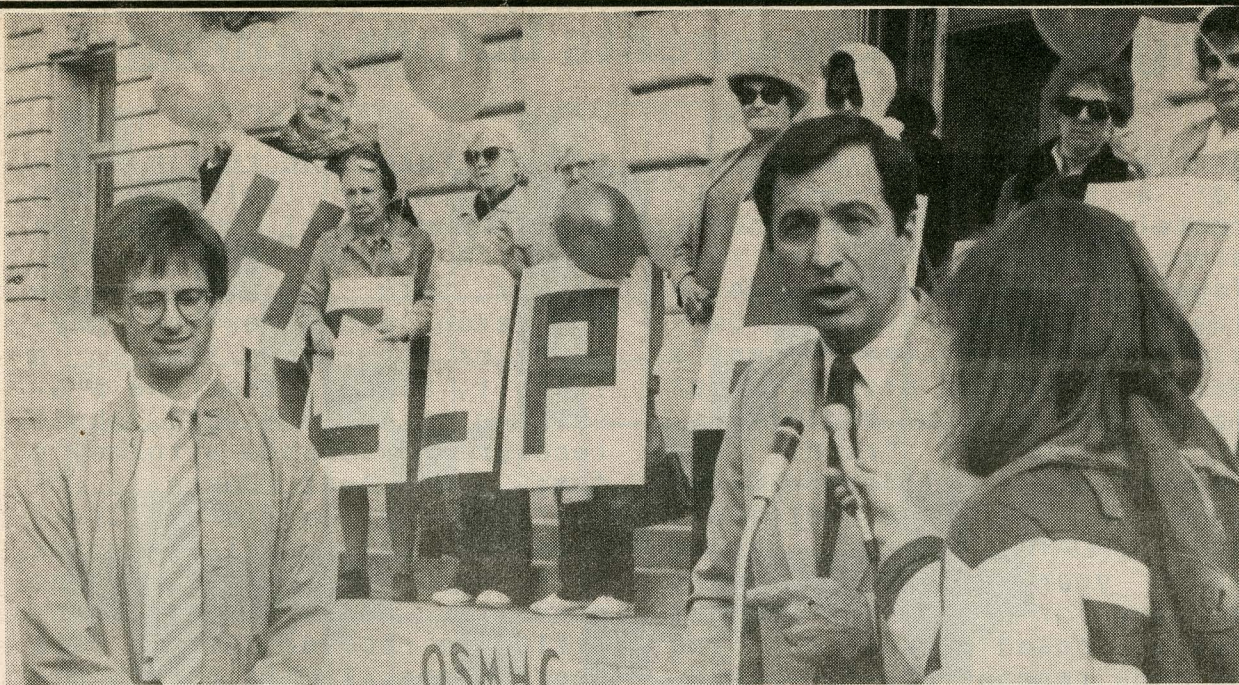
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Chinatown: community or developer's gold mine?

TIME DATED MATERIAL

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Assemblyman Art Agnos warned the press about AB 483 and declared rent control "a middle-class issue".

Human billboard opposes AB 483

On the steps of City Hall, volunteers from Old St. Mary's Housing Committee formed a 'human billboard' in a recent press conference with Assemblyman Art Agnos and Supervisor Harry Britt. Spelling the words "HELP SAVE RENT CONTROL" in huge letters, chanting and singing anti-AB 483 verses, we were there to draw further public attention to the threat to renters this legislation poses.

"It was an exciting thing," said participant Carol Wallerstein, adding that "we had fun."

The human billboard campaign was another in a series of events being arranged by the Issues Committee, and was designed to get as much press attention as possible. By volunteering to speak at the event, Assemblyman Agnos and Supervisor Britt helped draw several radio and television news crews to publicize the dangers of AB 483, which Agnos said, "would have devastating effects on renters in San Francisco and other bay area communities."

Loren Nordlund, Publicity Chair for the 'NO ON AB 483' campaign, praised the human billboard. "We got a lot of good press attention. With the help of this event, as well as many recent radio and TV appearances, more and more people are finding out about AB 483." There have also been several free speech and public service announcements recently aired to bring more persons to the January 31 Senate hearing in Oakland.

AB 483 Explained

Here are the main provisions of AB 483. It will create permanent Vacancy Decontrol in every California city, exempt every single-family unit from rent control - including about 30,000 units in San Francisco, and exempt new construction from rent control.

Vacancy Decontrol means that the rent could be raised on a unit each time a tenant moves out or is evicted, which is how the San Francisco law now stands. In addition to establishing the precedent of state interference in local regulations, AB 483 would encourage

landlords to evict tenants in even greater numbers.

On September 13, 1985, there were two significant changes in AB 483, creating a disparity between the Senate and already passed Assembly versions. The first requires mobile home park management to offer tenants a rental agreement with a 12-month term and requires management to offer the tenant an assignable lease or rental agreement for five years (or less if the tenant requests it). This lease or agreement would contain a notice that the tenant is exempt from local rent regulation control. After five years, rents would not be under any kind of control, which would undoubtedly mean a huge increase.

The second creates a Housing Trust Fund to appropriate money assisting construction of low income housing. Twenty-five million dollars would come from the General Fund. Additional funds comprising the same amount would come from a 2.5% surcharge on capital gains from the sale of specified rentals in rent-controlled cities. It would also exclude from eligibility for renter's tax credit individuals with a taxable income over \$35,000 who live in a rent controlled city.

Aside from the obvious disparity in that property owners continue to benefit from Proposition 13 regardless of their incomes, there is an even



SF Supervisor Harry Britt called for local control.

greater problem with the fund. The amount of money is ludicrous, a token amount designed to make the bill appear to be pro-housing. It costs about \$120,000 to construct a rental unit in California (according to the Bay Area Council). Statewide, the fund could finance about 416.7 units a year statewide. As someone in the Issues Committee pointed out, at that rate, today's housing problem will be solved by the year 3000. In addition, the bill discriminates against some tenants.

The Costa bill does not encourage new construction, as it claims. It only encourages rent gouging on existing units. □

CHINATOWN PLAN (continued from front page)

units of comparable size and cost;

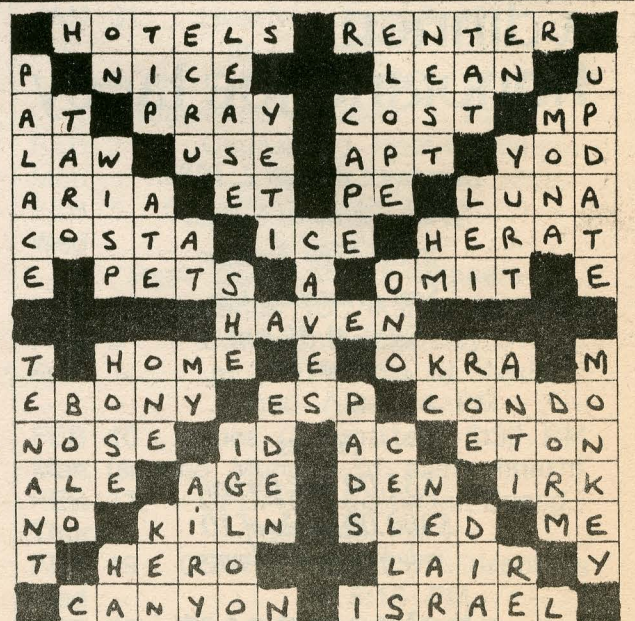
- revise building codes to facilitate seismic safety work on older buildings;

- encourage residential investment by Chinatown financial institutions.

The plan provides for 2 to 3 square feet of new housing, at least half of it low-income, for each square foot of new commercial development. A local Historic District would be designated and lower height limits set. Resident-serving businesses would be favored along certain streets and new storefronts limited to 30 feet to increase the number and diversity of small businesses. The plan also addresses traffic, open space and design aspects of Chinatown development.

Eva Cheng of the Chinatown Neighborhood Improvement Resource Center said, "We want to save Chinatown for the people who live and work here, not for people coming in to make a fast buck." She called on OSMHC members to help get the plan implemented.

The Planning Commission is developing its own plan for Chinatown and will hold public hearings on the proposals. The outcome of the hearings may determine if Chinatown can continue to exist as a community serving its primarily low-income residents. □



Tenant Counselling

phone: 398-0724

En Español: 282-8877

Avoid problems by reading rental agreements before signing

Know Your Rights

by Erica Silverberg

Sometimes the problem that gets us into the deepest hot water as renters is the lease or rental agreement we sign when we first move in. By the time most of us have been successful enough to find an affordable place to live, we are concentrating primarily on the 'joys of moving in' and not on contracts. The trouble with this assumption is that we can sign ourselves into a corner by not reading every provision of an agreement very carefully and striking those we disagree with before signing it.

ILLEGAL PROVISIONS

Counselors at OSMHC get numerous calls from disgruntled tenants who unknowingly signed an agreement limiting the number of occupants, making them responsible for repairing equipment, forbidding pets or requiring them to pay increases in their security deposits with each annual rent increase. Even though California Civil Code Section 1953

prohibits them, it is common for a written agreement to contain several illegal provisions. You cannot waive your legal rights when you sign a lease. Common illegal provisions include the tenant's waiving his/her rights under local rent control ordinances, or the right to "repair and deduct" under California Civil Code Sec 1942 (see September, 1985 UPDATE). You cannot waive your rights regarding privacy or protection against being locked out nor can you be made responsible for injuries to tenants or guests caused by the landlord's failure to maintain the property. Finally, your right to legal notice (to change terms of or terminate tenancy), to a jury trial or appeal and to refundable security deposits are protected no matter what the agreement says.

LEGAL PROVISIONS

One provision to watch out for is the inclusion of a list of rules and regulations for tenants to follow. Many sign this provision without reading it and without keeping a list

of the rules and regulations. The lists may include rules about the use of common areas on the property, noise, guests, etc. Another common provision addresses the payment of attorney's fees in a lawsuit, stating that the prevailing party in a suit shall recover reasonable attorney's fees and court costs. Of course, under California Civil Code 1717 this provision works both ways. If the tenant prevails, he/she is also entitled to recover costs. Late charge fees, limits on subletting and provisions defining who will pay utilities are all provisions to be read carefully before signing.

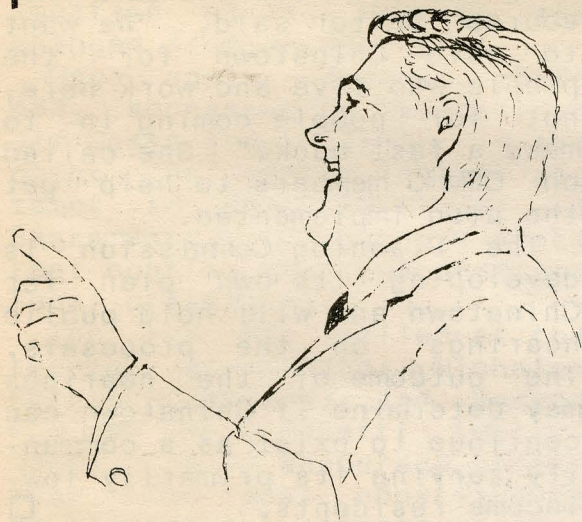
Remember, once you sign a lease it usually establishes your terms of tenancy even after the period of the agreement expires. **KEEP A COPY OF ANY WRITTEN AGREEMENT AND LIST OF RULES AND REGULATIONS YOU SIGN.** If you have questions about a written agreement, call OSMHC at 398-0724 and make an appointment to bring it in and look it over with one of our counselors. □

RANDOM HOUSING NOTES

by Anne Random

Washington DC ¶ If President Reagan has his way, the Federal Housing Administration may be sold to "private bidders"

old st. mary's housing committee presents



a dinner honoring JOE LACEY

Sunday March 2, 1986
Irish Cultural Center
2700 45th Avenue
San Francisco, Ca.
5:00-9:00 p.m.
no host bar

Tickets

\$35.00 per person
\$300.00 table of 10
includes wine with dinner

help us roast OUR OWN KING OF BLARNEY

Tickets will be held at the door.
For more information call Old St. Mary's Housing Committee
at 398-0724

by 1989. Since its creation in 1934, the agency has provided mortgage insurance for over 51 million home buyers who might otherwise have been unable to get homes. The President proposes to sell the entire agency to the private sector. It could only be dismantled if there is Congressional approval, which may not be forthcoming.

SF ¶ A project to build 200 moderately priced homes is challenged by an initiative on the June ballot. The homes would sell for \$83,000 to \$145,000 and have special 9.8% mortgages through the Mayor's Office of Housing & Economic Development (MOHED). The proponents of the measure would postpone construction until June 1989, claiming City College may need the land for expansion. An instructor at the college says the drive "is not anti-housing, it's pro-

education." Bill Witte of MOHED said "he has never seen such a misleading campaign" to get signatures. "The college never owned that site or had any long-term rights to it." W Hollywood ¶ In a precursor to the Oakland rent control hearing, a similar event was held for southern California. Over 400 persons were present, including Senators Lockyer, Keene and Roberti of the Judiciary Committee and Assemblymen Hayden and Costa. According to Lenny Goldberg, lobbyist for the Berkeley and Santa Monica rent boards, the main issue raised by the Costa folks was that rent control benefits yuppies, not low income persons. The rent control proponents explained that there was a high eviction rate in Los Angeles and that vacancy control is important, particularly for low income tenants. □

HELP Protect Your Rights!

To continue our tenant/landlord counseling and further our efforts to win tenant protections through legislation, we need YOU as a member.

TOGETHER WE ARE STRONG!

Join our Housing Committee, receive our monthly newspaper and be part of San Francisco's leading renters' rights organization!

JOIN TODAY! DON'T DELAY

- | | |
|---|---|
| <input type="checkbox"/> \$ 5 Low Income Membership | <input type="checkbox"/> \$50 Sponsoring Membership |
| <input type="checkbox"/> \$15 Regular Membership | <input type="checkbox"/> \$ Other |
| <input type="checkbox"/> \$25 Supporting Membership | |

NAME _____

ADDRESS _____

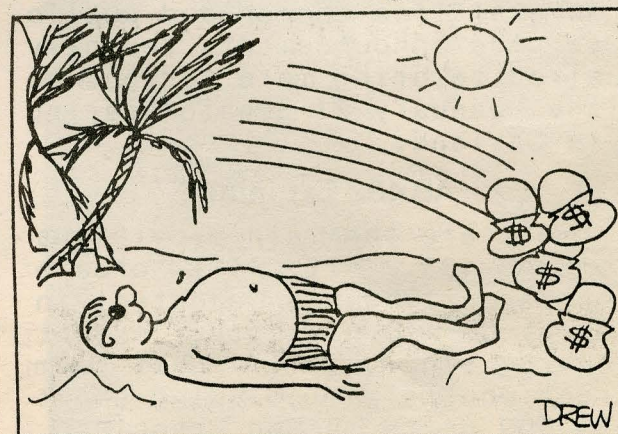
ZIP _____

PHONE (home) _____

(work) _____

Please make checks payable to:
Old St. Mary's Housing Committee
660 California, SF 94108
* Contributions are tax deductible

The Leased Laugh



LANDLORD'S RAINBOW!!

Joe's Corner

I'm stepping down as Chairman of the Board to let somebody else run with the ball. Unfortunately, I am sticking around to make sure everything keeps running. It has been fun.
- Joe Lacey