

1 [Urging Legal Action.]

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3 **Resolution urging the San Francisco City Attorney to file a 'friend of the court'/amicus**
4 **curiae' brief to set forth our city's interest in protecting tenants against wrongful**
5 **evictions.**

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7 WHEREAS, San Francisco's Rent Stabilization and Arbitration Ordinance provides for
8 protections against evictions without good cause and requires notices to tenants to accurately
9 state reasons for the termination; and,

10 WHEREAS, A Court of Appeals opinion in litigation entitled Action Apartment
11 Association v. City of Santa Monica (Court of Appeal No. B16581) invalidated a portion of the
12 City of Santa Monica's rent ordinance which provided for relief against wrongful eviction; and,

13 WHEREAS, The California Supreme Court has granted the City of Santa Monica's
14 petition for review of the opinion in Action Apartment Association and is presently considering
15 arguments presented by the parties and the public; and,

16 WHEREAS, The City and County of San Francisco has an interest in preserving its
17 authority to provide protections to its residents against wrongful evictions as set forth in the
18 city's Rent Stabilization and Arbitration Ordinance; and,

19 WHEREAS, The City and County of San Francisco may request the court to consider a
20 friend of the court brief to set forth its interest in providing protections and remedies for its
21 residents against wrongful evictions; now, therefore, be it

22 RESOLVED, That the City and County of San Francisco should seek leave of court to
23 file a 'friend of the court'/amicus curiae brief to set forth our city's interest in protecting tenants
24 against wrongful evictions; and, be it

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1 FURTHER RESOLVED, That the Board of Supervisors respectfully urges the City
2 Attorney of San Francisco to take appropriate actions to submit such a brief within the time
3 prescribed by the court.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 051275

Date Passed:

Resolution urging the San Francisco City Attorney to file a 'friend of the court'/amicus curiae' brief to set forth our city's interest in protecting tenants against wrongful evictions.

July 26, 2005 Board of Supervisors — ADOPTED

Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 3 - Alioto-Pier, Elsbernd, Ma

Excused: 1 - Daly

File No. 051275

I hereby certify that the foregoing Resolution was ADOPTED on July 26, 2005 by the Board of Supervisors of the City and County of San Francisco.

JUL 29 2005

Date Approved

Kay Gulbenkian

gn
Gloria L. Young
Clerk of the Board

[Signature]

Mayor Gavin Newsom