

Rent Control Regulations on Evictions

The eviction process can be initiated by citing any of 15 ‘just-causes’ under two broad categories:

‘No-fault’ evictions allow landlords to retrieve their property from the tenant without any fault of the tenant. The two most common types of evictions under this broad category are the **Ellis Act** and the **Owner Move-In (OMI)**. The Ellis Act allows the owner to rescind the tenancy by giving tenants a 120-days withdrawal notice and prohibits the unit from being rented for 10 years. The OMI evictions allow owners to evict the tenant in order for owner or their relatives to move into the unit.

Just cause’ evictions cite the tenants’ actions (such as a breach of lease or creating a nuisance, etc.) as justification for their eviction. San Francisco has an existing set of local ordinances and policies designed to protect tenants from displacement and prevent loss of affordable rental housing. These policies are the result of more than four decades of community activism, legal advocacy, and political leadership and include:

- The Residential Rent Stabilization and Arbitration Ordinance limits rent increases for all rental housing of two or more units built in 1979. It also limits evictions to a specific set of justified causes, and requires relocation assistance for evicted tenants, among other protections.
- The Residential Hotel Unit Conversion and Demolition Ordinance requires replacement of Single Room Occupancy (SRO) Hotel Units when the owner proposes to convert to tourist use and restricts demolition of SRO buildings. In addition, there are several State laws that impact local rental housing stock.
- The Costa-Hawkins Rental Housing Act (“Costa-Hawkins”) is a 1995 California state law that prohibits municipal rent increase limitations on certain units, allows rent increases on subtenants following departure by tenants of rent-controlled tenancies, and prohibits “vacancy control” — the regulation of rental rates on units that have been voluntarily vacated by the previous renters at an amount other (presumably lower) than what the open market would bear. The Act was amended in 2001 to close a loophole related to condominium conversion, where owners of apartment buildings obtained certificates for conversion, to avail themselves of the state law exemption for rent control, without actually selling any of the erstwhile apartments as condominiums.
- The Ellis Act is a 1985 California state law that gives landlords the unconditional right to evict tenants to “go out of business.” For an Ellis eviction, the landlord must remove all of the units in the building from the rental market. Ellis Act evictions generally are used to change the use of the building from rental units to tenancy-in-common or condominiums.