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Miraloma Park Improvement Club

March 20, 2014

Supervisors Cohen, Kim, and Wiener
Land Use and Economic Development Committee
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca 94102-4689

Dear Supervisors:

The Miraloma Park Improvement Club (MPIC) represents 2200 homes on Mt. Davidson in an entirely RH-1 zoned neighborhood. We write to ask you not to refer to the full Board Supervisor Chiu's legislation to legalize in-law units across the City, but rather to reject the legislation as it is written unless Supervisor Chiu accepts the exclusion of RH-1 zoned neighborhoods. We believe that Supervisor Chiu's legislation as written would not increase the amount of affordable housing in San Francisco, but in fact would decrease it, causing evictions of "illegal" tenants and the permanent removal of family-sized housing from our City. Furthermore, legalization of in-law units is not necessary to achieve the stated goal of the legislation to allow extended family to live with the primary owners or to allow roommates. In-law units that are not completely separate with their own addresses and entrances are currently allowed under RH-1 zoning as long as these units do not have stoves.

Legalization of in-law units would be ineffective in creating additional affordable housing in San Francisco because affected secondary units already exist and are occupied and the legislation would not permit building new units. But it would allow speculators and developers to target the small stock of family-sized housing in the City for subdivision into smaller multi-unit housing, driving families out of the City for the sake of profit. Speculators would be able to out-price families knowing that they could "legalize" the secondary unit, increase the value of the property, and then re-sell the home at increased market-rate prices. Competition to buy RH-1 homes with illegal secondary units would drive up prices as real estate speculators vie with families to purchase single-family homes, putting already costly houses out of reach for most families. The result would be the replacement of single-family homes by small apartments more suitable for singles and couples, not growing families, which would have to leave the City.

The legislation is impractical and short-sighted: few owners will want to "legalize" their secondary units because of the fees, remediation costs, and falling under rent-control rules thereafter. Many owners renting out illegal secondary units might evict their illegal tenants rather than pay the costs associated with legalization, which could actually reduce the amount of affordable housing available. Bringing an illegal secondary unit up to code could eliminate floor space in the primary unit, again reducing family-sized housing stock in the City. Once legalized, a secondary unit would be permanently rent-controlled. If the RH-1 house were sold in the future, the new owner could not convert it back to RH-1 without using the Ellis Act.

For the above reasons, and because our City needs to retain its single-family neighborhoods and its families to grow and remain viable, please reject Mr. Chiu's legislation unless RH-1 neighborhoods are exempted.

Sincerely yours,

Corresponding Secretary