



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Condominium Conversion Subdivision Hearing Date: April 18, 2019 CONSENT CALENDAR

Record No.: 2019-000475CND
Project Address: 863 Haight Street
Zoning: RH-3 (Residential-House, Three-Family) District
40-X Height and Bulk District
Block/Lot: 1239/029
Applicant: Rosemarie MacGuiness
Sirkin Law APC
388 Market Street, Suite 300, San Francisco, CA 94111
Staff Contact: Katherine Wilborn – (415) 575-9114
Katherine.Wilborn@sfgov.org
Recommendation: **Approval With Conditions**

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The Project proposes to convert a three-story, five-unit building into residential condominiums. No alterations to the building are proposed. Conditions include a Notice of Special Restrictions for the two existing units that are legal, nonconforming dwelling units above the density within the Subject Property's zoning district.

REQUIRED COMMISSION ACTION

The Subdivision Code requires that the Planning Commission hold a public hearing to review condominium conversion subdivisions containing five to six residential units for consistency with the General Plan. The Project requires Planning Commission approval under Section 3.527 of the Charter and Sections of five to six residential unit buildings. Findings must be made that the proposal is consistent with the General Plan and Subdivision Code.

ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** To date, the Department has not received any public comments on the proposed project.
- **Existing Tenant & Eviction History:** All five units are owner-occupied. All units are occupied by owners who intend to purchase their units. All prospective owners have signed under penalty of perjury that no evictions have occurred on the subject property on or after January 1, 2000.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. The Project will maintain the existing supply of housing while allowing for home ownership opportunities for San Francisco residents.

Residential Unit Description

Unit No.	Square-Feet	No. of Bedrooms
1	839	1
2	1063	2
3	842	1
4	830	1
5	363	0

ATTACHMENTS:

Draft Motion – Condominium Conversion Subdivision

Exhibit A – Maps and Context Photographs

Exhibit B – Selected Project Sponsor Submittals

- Application Statement
- Report of Residential Record (3R)
- Form 1: Building and Owner/Occupancy History
- Rent Stabilization and Arbitration Board's Eviction History Report



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion

HEARING DATE: APRIL 18, 2019

Record No.: **2019-000475CND**
Project Address: **863 Haight Street**
Zoning: RH-3 (Residential-House, Three Family) District
40-X Height and Bulk District
Lower Haight Public Realm Plan
Block/Lot: 1239/029
Project Sponsor: Rosemarie MacGuinness
Sirkin Law APC
388 Market Street, Suite 300
San Francisco, CA 94111
Staff Contact: Katherine Wilborn – (415) 575-9114
Katherine.Wilborn@sfgov.org

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Suite 400
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ADOPTING FINDINGS RELATING TO THE CONDOMINIUM CONVERSION SUBDIVISION OF A THREE-STORY, FIVE-UNIT BUILDING INTO RESIDENTIAL CONDOMINIUMS, PURSUANT TO THE GENERAL PLAN AND SUBDIVISION CODE SECTIONS 1386 AND 1396.4, WITHIN AN RH-3 (RESIDENTIAL-HOUSE, THREE FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On January 1, 2019, Rosemarie MacGuinness (hereinafter "Project Sponsor") filed an application with the Department of Public Works, Bureau of Street Use and Mapping for Planning Department review to allow the Condominium Conversion Subdivision of a three-story, five-unit building into residential condominiums within a RH-3 (Residential-House, Three Family) Zoning District and a 40-X Height and Bulk District. The subject building is considered a legal use as the Report of Residential Building Record indicates that the legal authorized occupancy and use is a five-unit dwelling.

On April 18, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Condominium Conversion Subdivision Application No. 2019-000475CND.

Section 1396, Article 9 of the Subdivision Code of the City and County of San Francisco sets forth the following rules and regulations for condominium conversions:

- A. Units may be converted to condominiums so long as they meet the requirements of the Expedited Conversion Program per the Subdivision Code. An exception is provided for two-unit buildings where both units are owner-occupied for one year.

The following categories of buildings may be converted to condominiums:

- i. Buildings consisting of four units or less in which at least one of the units has been occupied continuously by one of the owners of record for six years prior to the annual April 15th triggering date for conversions and owners of record had a fully executed agreement for an exclusive right of occupancy on or before April 15, 2013.
- ii. Buildings consisting of six units or less in which at least three of the units have been occupied continuously by three of the owners of record for six years prior to the annual April 15th triggering date for conversion and the owners of record had a fully executed agreement for an exclusive right of occupancy on or before April 15, 2013.

The Subdivision Code requires that the Planning Commission hold a public hearing to review condominium conversion subdivisions containing five to six units for consistency with the General Plan and applicable provisions of the Subdivision Code where at least one unit is residential. The Code calls for a sales program which promotes affirmative action in housing, a non-transferable tenant right of first-refusal to purchase the unit occupied by the tenant and various relocation requirements, including the right to a \$1,000 relocation payment.

The Subdivision Code further provides for a recorded offer of a lifetime lease for all tenants as a condition of final map approval and requires that no less than 40 percent of the units as represented through the owning or renting tenant of each unit either have signed Intent to Purchase forms or be in a position of accepting the offer for such a lifetime lease. The Code prohibits any increase in rents while the conversion application is pending before the City.

Section 1386, Article 9 of the Subdivision Code of the City and County of San Francisco requires that the Planning Commission disapprove the Tentative Map if it determines that vacancies in the project have been increased, elderly or permanently disabled tenants have been displaced or discriminated against in leasing units, evictions have occurred for the purpose of preparing the building for conversion, or the subdivider has knowingly submitted incorrect information (to mislead or misdirect efforts by agencies of the City in the administration of the Subdivision Code). In the evaluation of displacement of elderly tenants, the Commission shall consider any such displacements over the preceding three years and the reasons for the displacement.

The project was determined not to be a project under CEQA Guidelines Sections 15060(c) and 15378 because there is no direct or indirect physical change in the environment.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff and other interested parties.

MOVED, that the Commission hereby approves the Condominium Conversion Subdivision requested in Application No. 2019-000475CND based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. The applicant requests Planning Department review of a Condominium Conversion Subdivision Application to allow for the conversion of the multi-unit building.
3. As required by Section 1396 of the San Francisco Subdivision Code, at least three of the units have been owner occupied continuously by one or more of the owners of record for five years prior to the date of application for conversion.
4. Tenants in the subject building were notified of their right-of-first refusal to purchase the unit they occupy, as required by the Subdivision Code, and of other rights to which they are entitled under provisions of the same Code.
5. A search of the Rent Board database did not show any tenant petitions or eviction notices filed with the Rent Board in the last 5 years.
6. On balance, the Project is consistent with the Objectives and Policies of the General Plan, as follows:

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 2:

RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.4:

Promote improvements and continued maintenance to existing units to ensure long term habitation and safety.

Property owners are required to correct outstanding code violations identified in a Physical Inspection Report issued by the Department of Building Inspection (DBI). All work must be completed and a DBI Certificate of Final Completion must be issued prior to DPW approval.

OBJECTIVE 3:

PROTECT THE AFFORDABILITY OF THE EXISTING HOUSING STOCK, ESPECIALLY RENTAL UNITS.

Policy 3.3:

Maintain balance in affordability of existing housing stock by supporting affordable moderate ownership opportunities.

Conversions of rental stock to condominiums help achieve affordable homeownership, providing a category of housing stock for moderate income housing needs. Through the Expedited Conversion Program, properties are eligible to convert from rental units to ownership status so long as owner-occupancy requirements are met.

7. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The proposal would have no adverse effect upon existing neighborhood-serving retail uses as it is a change in form of residential tenure.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The proposal is a change in form of residential tenure and would not alter the existing housing and neighborhood character of the vicinity.

- C. That the City's supply of affordable housing be preserved and enhanced,

No housing would be removed for this project.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The proposal is a change in form of residential tenure and would not affect public transit or neighborhood parking.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The proposal is a change in form of residential tenure and would not involve the industrial or service sectors of the City.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The proposal is subject to inspection by the Department of Building Inspection and will be required to make any code required repairs, including those related to life safety issues, prior to the recordation of the final condominium subdivision map.

- G. That landmarks and historic buildings be preserved.

The proposal is a change in form of residential tenure and would not affect landmarks or historic buildings.

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

The proposal is a change in form of residential tenure and would not affect public parks or open space.

8. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
9. The Commission hereby finds that approval of the Condominium Conversion Subdivision would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, Department staff and other interested parties, the oral testimony presented to this Commission at the public hearings and all other written materials submitted by all parties, the Commission hereby **APPROVES Condominium Conversion Subdivision Application No. 2019-000475CND.**

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on April 18, 2019.

Jonas P. Ionin
Commission Secretary

AYES:

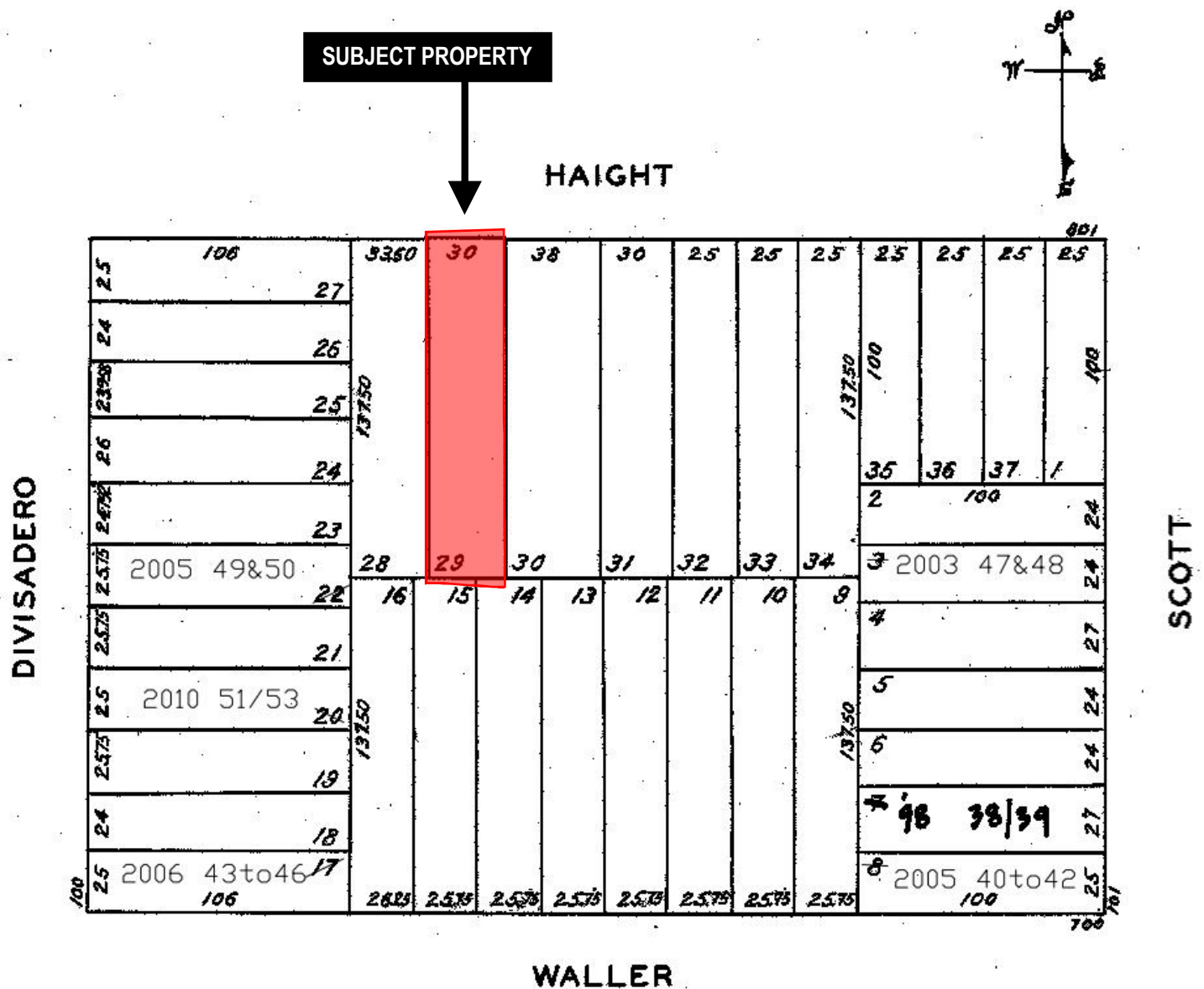
NAYS:

ABSENT:

ADOPTED:

Exhibit A

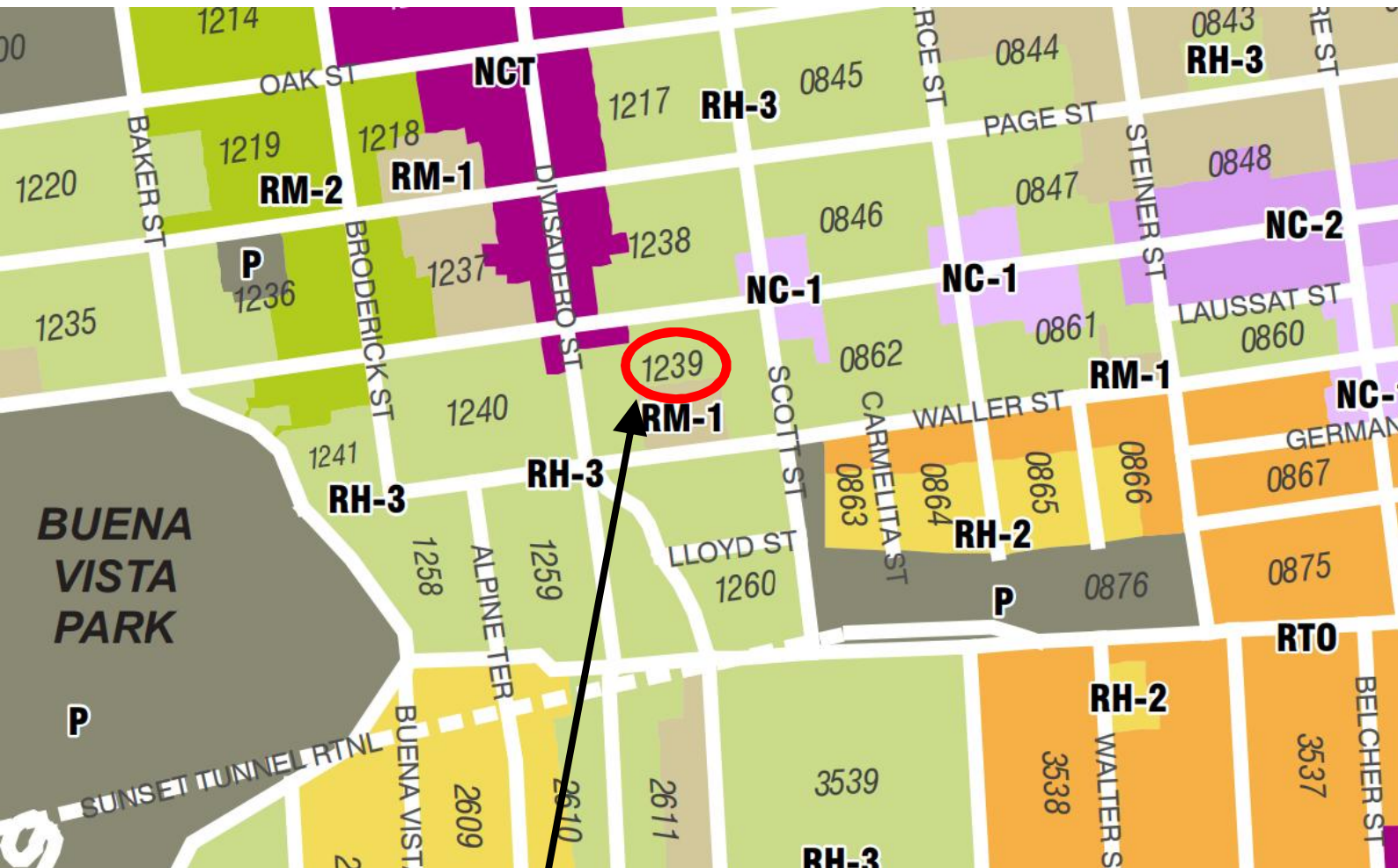
Parcel Map





Condominium Conversion Hearing
Case Number 2019-000475CND
 863 Haight Street, San Francisco CA 94117
 Block 1239 Lot 029

Zoning Map



SUBJECT PROPERTY

**RH-3 Zoning
District**



Condominium Conversion Hearing
Case Number 2019-000475CND
863 Haight Street, San Francisco CA 94117
Block 1239 Lot 029

Aerial Photo



SUBJECT PROPERTY



**SAN FRANCISCO
PLANNING DEPARTMENT**

Condominium Conversion Hearing
Case Number 2019-000475CND
863 Haight Street, San Francisco CA 94117
Block 1239 Lot 029

Aerial Photo 2



SUBJECT PROPERTY



Site Photo

(Front Façade, Haight Street)



Exhibit B

Applicant Statement

Assessor's Parcel Number: 1239-029

Property Address: 863 Haight Street, San Francisco, CA 94117

Owner Information

Name(s): Michael Ferber; Susan Arnold; Lucile Ferber Arnold; Michael M. Mizono, as Trustee of the Michael M. Mizono Trust Agreement, dated January 7, 2016; Benjamin Robert Hirsch; Jenna Elizabeth Carstens and Chris A. Carstens, Trustee(s) of The Jenna Elizabeth Carstens Trust Under Agreement dated May 30, 2007; Amelia Cline; and Terry B. Cline

Address: 863 Haight Street, San Francisco, CA 94117

Application Contact (if different from Owner)

Name(s): Rosemarie MacGuinness, Sirkin Law, APC

Address: 388 Market Street, Suite 1300, San Francisco, CA 94111

Phone: (415) 839-6406

Email: condoconversion@andysirkin.com

Firm or Agent Preparing Subdivision Map

Name(s): Lou Clem, Geometrix Surveying Engineering Inc.

Address: 5436 California Street, San Francisco, CA 94118

Phone: (415) 422-0527

Email: lou@geometrixsurvey.com

Number of Units in Project: 5

Number of Tenant Occupied Units: 0

Choose One:

	2-4 Units	5-6 Units
Residential	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mixed-Use	<input type="checkbox"/>	<input type="checkbox"/>
	Number of residential: _____ Number of commercial: _____	Number of residential: <u>5</u> Number of commercial: <u>0</u>

I (We) declare, under penalty of perjury, that I am (we are) the owner(s) [authorized agent of the owner(s)] of the property that is subject of this application, that the statements herein and in the attached exhibits present the information required for this application, and the information presented is true and correct to the best of my (our) knowledge and belief.



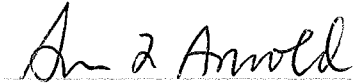
Signature of Applicant

Michael Ferber

Printed Name

7/5/18

Date



Signature of Applicant

Susan Arnold

Printed Name

7/5/18

Date



Signature of Applicant

Lucile Ferber Arnold

Printed Name

7/12/18

Date

Signature of Applicant

Michael M. Mizono

Printed Name

Date

Signature of Applicant

Benjamin Robert Hirsch

Printed Name

Date

Signature of Applicant

Jenna Elizabeth Carstens

Printed Name

Date

Signature of Applicant

Chris A. Carstens

Printed Name

Date

Signature of Applicant

Amelia Cline

Printed Name

Date

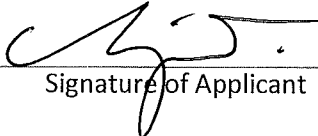
Signature of Applicant

Terry B. Cline


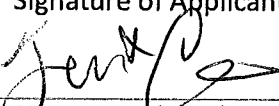
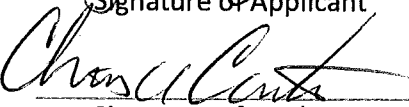
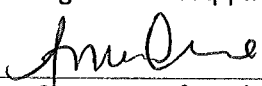
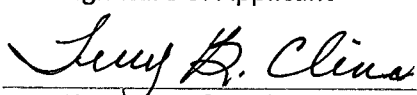
Printed Name

Date

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_____ Signature of Applicant	Michael Ferber _____ Printed Name	_____ Date
_____ Signature of Applicant	Susan Arnold _____ Printed Name	_____ Date
_____ Signature of Applicant	Lucile Ferber Arnold _____ Printed Name	_____ Date
 _____ Signature of Applicant	Michael M. Mizono _____ Printed Name	6/14/18 _____ Date
_____ Signature of Applicant	Benjamin Robert Hirsch _____ Printed Name	_____ Date
_____ Signature of Applicant	Jenna Elizabeth Carstens _____ Printed Name	_____ Date
_____ Signature of Applicant	Chris A. Carstens _____ Printed Name	_____ Date
_____ Signature of Applicant	Amelia Cline _____ Printed Name	_____ Date
_____ Signature of Applicant	Terry B. Cline _____ Printed Name	_____ Date

I (We) declare, under penalty of perjury, that I am (we are) the owner(s) [authorized agent of the owner(s)] of the property that is subject of this application, that the statements herein and in the attached exhibits present the information required for this application, and the information presented is true and correct to the best of my (our) knowledge and belief.

Signature of Applicant	Michael Ferber Printed Name	Date
Signature of Applicant	Susan Arnold Printed Name	Date
Signature of Applicant	Lucile Ferber Arnold Printed Name	Date
Signature of Applicant	Michael M. Mizono Printed Name	Date
 Signature of Applicant	Benjamin Robert Hirsch Printed Name	6-26-18 Date
 Signature of Applicant	Jenna Elizabeth Carstens Printed Name	6-17-18 Date
 Signature of Applicant	Chris A. Carstens Printed Name	6-17-18 Date
 Signature of Applicant	Amelia Cline Printed Name	6-20-18 Date
 Signature of Applicant	Terry B. Cline Printed Name	6-20-18 Date



Report of Residential Building Record (3R)
(Housing Code Section 351(a))

BEWARE: This report describes the current legal use of this property as compiled from records of City Departments. There has been no physical examination of the property itself. This record contains no history of any plumbing or electrical permits. The report makes no representation that the property is in compliance with the law. Any occupancy or use of the property other than that listed as authorized in this report may be illegal and subject to removal or abatement, and should be reviewed with the Planning Department and the Department of Building Inspection. Errors or omissions in this report shall not bind or stop the City from enforcing any and all building and zoning codes against the seller, buyer and any subsequent owner. The preparation or delivery of this report shall not impose any liability on the City for any errors or omissions contained in said report, nor shall the City bear any liability not otherwise imposed by law.

Address of Building *863 HAIGHT ST*

Block *1239*

Lot *029*

Other Addresses

1. A. Present authorized Occupancy or use: FIVE FAMILY DWELLING
 B. Is this building classified as a residential condominium? Yes No ☒
 C. Does this building contain any Residential Hotel Guest Rooms as defined in Chap. 41, S.F. Admin. Code? Yes No ☒
2. Zoning district in which located: RH-3 3. Building Code Occupancy Classification: R-2
4. Do Records of the Planning Department reveal an expiration date for any non-conforming use of this property? Yes No ☒
 If Yes, what date? **The zoning for this property may have changed. Call Planning Department, (415) 558-6377, for the current status.**
5. Building Construction Date (Completed Date): UNKNOWN
6. Original Occupancy or Use: UNKNOWN
7. Construction, conversion or alteration permits issued, if any:

<u>Application #</u>	<u>Permit #</u>	<u>Issue Date</u>	<u>Type of Work Done</u>	<u>Status</u>
138770	138770	May 11, 1925	ALTER AND REMODEL PRESENT BUILDING INTO A FOUR 3 ROOMS APARTMENT	N
9712760	826088	Jul 10, 1997	TERMITE REPAIR	C
9818457	859944	Sep 15, 1998	UNIT #2 & 4 - COMPLETE KITCHEN REMODELS - UPGRADE ELECTRIC; INSTALL DISHWASHER AND DISPOSAL, NEW CABINETS, NEW FLOOR, NEW LIGHT FIXTURES, AND REPLACE STOVE	X
9921438	891255	Oct 12, 1999	REROOFING	C
200410066043	1038124	Oct 06, 2004	UNIT #2 - REPLACE BATH AND KITCHEN FIXTURES, APPLIANCES, CABINETS (NO PLUMBING, NO ELECTRICAL)	I
201604275877	1390182	Apr 27, 2016	ADMINISTRATIVE PERMIT TO ESTABLISH LEGAL USE AND OCCUPANCY OF BUILDING AS 5 UNIT RESIDENTIAL APARTMENT PER CITY RECORDS (ASSESSOR'S & DEPARTMENT OF BUILDING INSPECTION) WITH A SITE VISIT - CFC 5FD	C
201610281426	1408115	Oct 28, 2016	REPLACEMENT OF 14 WINDOWS TOTAL, FRONT FACING	C
201705106216	1424964	May 10, 2017	REROOFING	C
201706088846	1427953	Jun 08, 2017	TO COMPLY WITH PHYSICAL INSPECTION REPORT #CC-8055	I
201706088847	1427954	Jun 08, 2017	RENEW EXPIRED BUILDING PERMIT APPLICATION #200410066043. ALL WORK IS COMPLETE	I
201706129083	1428197	Jun 12, 2017	DEMOLITION OF PENTHOUSE COVERING THE STAIRWELL TO COMPLY WITH BUILDING AND HOUSING REPORT CC-8055. PHYSICAL INSPECTION REPORT (COMMON AREA, ITEM #3)	I
201801098175	1449234	Jan 09, 2018	UNIT #4 - BATHROOM REMODEL. REPLACE ALL FIXTURES IN-KIND. NO FIXTURES WILL BE MOVED	I

Department of Building Inspection
1660 Mission Street - San Francisco CA 94103 - (415) 558-6080
Report of Residential Record (3R)

Page 2

Address of Building 863 HAIGHT ST

Block 1239

Lot 029

Other Addresses

<u>Application #</u>	<u>Permit #</u>	<u>Issue Date</u>	<u>Type of Work Done</u>	<u>Status</u>
201802272357	1454038	Feb 27, 2018	UNIT #3 - GUEST BATHROOM REMODEL LIKE FOR LIKE, NEW TUB, NEW FAUCET, NEW TILE, NEW VANITY, NEW TOILET	I

8. A. Is there an active Franchise Tax Board Referral on file? Yes No ✓
B. Is this property currently under abatement proceedings for code violations? Yes No ✓
9. Number of residential structures on property? 1
10. A. Has an energy inspection been completed? Yes ✓ No B. If yes, has a proof of compliance been issued? Yes ✓ No
11. A. Is the building in the Mandatory Earthquake Retrofit of Wood-Frame Building Program? Yes No ✓
B. If yes, has the required upgrade work been completed? Yes No

Date of Issuance: 04 APR 2018

Date of Expiration: 04 APR 2019

By: BETTY LEE

Report No: 201803303644

Patty Herrera, Manager
Records Management Division

THIS REPORT IS VALID FOR ONE YEAR ONLY.

The law requires that, prior to the consummation of the sale or exchange of this property, the seller must deliver this report to the buyer and the buyer must sign it.

(For Explanation of terminology, see attached)

Form 1

Building History, Statement of Repairs & Improvements, Occupants, and Proposed Prices

Assessor's Parcel Number: 1239-029

Property Address: 863 Haight Street, San Francisco, CA 94117

Item No. 6 – Building History

No information known except for detailed on Report of Residential Record

Item No. 7 – Statement of Repairs & Improvements

N/A

Item No. 8 – List of occupants, their apartment numbers, vacant units, and owners and tenants who intend to purchase

Unit	Occupant Name	Apartment No.	Unit Vacant?		Intend to Purchase?			
One	Lucile Ferber Arnold	1	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Two	Michael M. Mizono	2	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Three	Benjamin Robert Hirsch	3	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Four	Jenna Elizabeth Carstens	4	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Five	Amelia Cline	5	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Six			<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/> NO

Item No. 9 – Six year occupancy history

Apt. No.	Duration	Occupants	Rent (\$)	Reason for Termination
1	Oct 2006 - Feb 2015	Andy Tran	Owner Occupant	Sold
1	Feb 2015 - Current	Lucile Ferber Arnold	Owner Occupant	N/A
2	Oct 2006 - Apr 2014	John Hudson	Owner Occupant	Sold
2	April 2014 - Current	Michael M. Mizono and Jeannette Christine Mizono	Owner Occupant	N/A
3	Oct 2006 - July 2017	Timothy Susoev and Diana Faraj	Owner Occupant	Sold
3	July 2017 - Current	Benjamin Robert Hirsch	Owner Occupant	N/A
4	Dec 2006 - July 2014	Dean Atchison	Owner Occupant	Sold
4	Aug 2014 - Current	Jenna Elizabeth Carstens	Owner Occupant	N/A
5	Oct 2006 - Jan 2012	Warren Fourie	Owner Occupant	Sold
5	Jan 2012 - Nov 2017	Allen Kerr	Owner Occupant	Sold
5	Nov 2017 - Current	Amelia Cline	Owner Occupant	N/A

Are there any evictions associated with this building since May 1, 2005? [Sec. 1396.2, 1396.4(10)]

☒ YES ☐ NO If yes, provide details:

On July 18, 2005, an Ellis Act Withdrawal was filed with the Rent Board. Tenants were evicted from Unit 1 and Unit 5 (File No. M051482 and M051483). The tenants did not claim protected status. All five units of this building have been occupied continuously by owners of record for at least ten years. Section 1396.4 (b)(9)(B).

Item No. 10 – List of number of bedrooms, square feet, current rental rate, and proposed sales prices

Apt. No.	No. Bedrooms	Square Feet	Current Rental Rate	Proposed Sales Price
1	1	839	Owner Occupied	\$1,300,000
2	2	1063	Owner Occupied	\$1,500,000
3	1	842	Owner Occupied	\$1,300,000
4	1	830	Owner Occupied	\$1,300,000
5	0	363	Owner Occupied	\$700,000

Item No. 11 – List the permit number(s) of the building permit application filed in connection with the proposed use of this property that is/are not listed in the 3R Report in the space below

#

Michael K Ferber

Signature of Applicant

Michael Ferber

Printed Name

7/5/18

Date

A. Arnold

Signature of Applicant

Susan Arnold

Printed Name

7/5/18

Date

Lucile Ferber Arnold

Signature of Applicant

Lucile Ferber Arnold

Printed Name

7/12/18

Date

Signature of Applicant

Michael M. Mizono

Printed Name

Date

Signature of Applicant

Benjamin Robert Hirsch

Printed Name

Date

Signature of Applicant

Jenna Elizabeth Carstens

Printed Name

Date

Signature of Applicant

Chris A. Carstens

Printed Name

Date

Signature of Applicant

Amelia Cline

Printed Name

Date

Signature of Applicant

Terry B. Cline

Printed Name

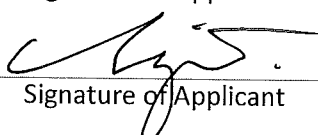
Date

_ Item No. 10 – List of number of bedrooms, square feet, current rental rate, and proposed sales prices

Apt. No.	No. Bedrooms	Square Feet	Current Rental Rate	Proposed Sales Price
1	1	839	Owner Occupied	\$1,300,000
2	2	1063	Owner Occupied	\$1,500,000
3	1	842	Owner Occupied	\$1,300,000
4	1	830	Owner Occupied	\$1,300,000
5	0	363	Owner Occupied	\$700,000

Item No. 11 – List the permit number(s) of the building permit application filed in connection with the proposed use of this property that is/are not listed in the 3R Report in the space below

_____ # _____ # _____ # _____ # _____

_____ Signature of Applicant	Michael Ferber _____ Printed Name	_____ Date
_____ Signature of Applicant	Susan Arnold _____ Printed Name	_____ Date
_____ Signature of Applicant	Lucile Ferber Arnold _____ Printed Name	_____ Date
 _____ Signature of Applicant	Michael M. Mizono _____ Printed Name	6/14/18 _____ Date
_____ Signature of Applicant	Benjamin Robert Hirsch _____ Printed Name	_____ Date
_____ Signature of Applicant	Jenna Elizabeth Carstens _____ Printed Name	_____ Date
_____ Signature of Applicant	Chris A. Carstens _____ Printed Name	_____ Date
_____ Signature of Applicant	Amelia Cline _____ Printed Name	_____ Date
_____ Signature of Applicant	Terry B. Cline _____ Printed Name	_____ Date

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Michael Ferber

Signature of Applicant

Printed Name

Date

Susan Arnold

Signature of Applicant

Printed Name

Date

Lucile Ferber Arnold

Signature of Applicant

Printed Name

Date

Michael M. Mizono

Signature of Applicant

Printed Name

Date

Benjamin Robert Hirsch

Signature of Applicant

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Jenna Elizabeth Carstens

Signature of Applicant

Printed Name

Date

Chris A. Carstens

Signature of Applicant

Printed Name

Date

Amelia Cline

Signature of Applicant

Printed Name

Date

Terry B. Cline

Signature of Applicant

Printed Name

Date



City and County of San Francisco
San Francisco Public Works · Bureau of Street-Use and Mapping
1155 Market Street, 3rd Floor · San Francisco, CA 94103
sfpublicworks.org · tel 415-554-5810 · fax 415-554-6161



Date: October 3, 2018

Rent Stabilization and
Arbitration Board
25 Van Ness Avenue, Suite 320
San Francisco, CA 94102-6033

2019-000475 CND

Project ID: 9797			
Project Type: 5 Units Condo Conversion			
Address#	StreetName	Block	Lot
863	HAIGHT ST	1239	029
Tentative Map Referral			

Attention Van Lam

Pursuant to Sections 1359(d), 1396.2(a) & (b) and 1396.3(1) of the City and County of San Francisco Subdivision Code concerning building eviction status, the list below is submitted to your Department for review of any evictions on or after January 1, 2000. Under the provisions of the Subdivision Map Act and the City and County of San Francisco Subdivision Code, your Department must respond to the Bureau of Street-Use and Mapping within 30 days of the date of this letter. Failure to do so constitutes automatic approval from your department. Under these same state and local codes, DPW is required to approve, conditionally approve, or disapprove the above referenced map within 50 days of the receipt of the application. Thank you for your timely review of this Tentative Map.

Sincerely,
ADRIAN
VERHAGEN
Bruce R. Storrs, P.L.S.
City and County Surveyor

Digitally signed by ADRIAN VERHAGEN
DN: cn=ADRIAN VERHAGEN, o=DPW, ou=DPW, email=adrian.verhagen@sf.gov, c=US
Date: 2018.10.03 18:36:11 -0700

☐ No Eviction(s) have occurred on or after January 1, 2000.

☒ An Eviction has occurred on or after January 1, 2000.
See attached documents.

Date(s) of Eviction: 7-18-05

This confirms that the Rent Stabilization and Arbitration Board has reviewed the above buildings for any eviction on or after January 1, 2000. If evictions have occurred supporting documents have been attached to this form.

Date 10-5-18

Signed [Signature]

Van Lam
Rent Stabilization and Arbitration Board

10/5/2018

863 Number	Haight Street Name	Street Suffix	1 Unit#
863 Haight Street Building		5 # of Units	94117 Zip
Complex			1900 Yr Built

M051482	07/18/05	
Eviction ID	File Date	Rent Paid
<input type="checkbox"/> OMI 37.9(i) Estoppel Filed? <input type="checkbox"/> Protected Status Claimed		
<input type="checkbox"/> OMI Constraints Until * Date:		
<input type="checkbox"/> Additional 37.9C Relocation Claim Filed?		

- ☐ Non-payment of Rent
- ☐ Habitual Late Payment of Rent
- ☐ Breach of Lease Agreement
- ☐ Nuisance
- ☐ Illegal Use of Unit
- ☐ Failure to Sign Lease Renewal
- ☐ Denial of Access to Unit

☐ Unapproved Subtenant
☐ Owner Move In
☐ Condo Conversion
☐ Demolition
☐ Capital Improvement
☐ Substantial Rehabilitation
☒ Ellis Act Withdrawal

☐ Lead Remediation

☐ Development Agreement

☐ Good Samaritan Tenancy Ends

☐ Roommate Living in Same Unit

☐ Other

☐ Severance of Housing Service

[illegible]

10/5/2018

Cause For Eviction

- | | | |
|--|--|---|
| <input type="checkbox"/> Non-payment of Rent | <input type="checkbox"/> Unapproved Subtenant | <input type="checkbox"/> Lead Remediation |
| <input type="checkbox"/> Habitual Late Payment of Rent | <input type="checkbox"/> Owner Move In | <input type="checkbox"/> Development Agreement |
| <input type="checkbox"/> Breach of Lease Agreement | <input type="checkbox"/> Condo Conversion | <input type="checkbox"/> Good Samaritan Tenancy Ends |
| <input type="checkbox"/> Nuisance | <input type="checkbox"/> Demolition | <input type="checkbox"/> Roommate Living in Same Unit |
| <input type="checkbox"/> Illegal Use of Unit | <input type="checkbox"/> Capital Improvement | <input type="checkbox"/> Other |
| <input type="checkbox"/> Failure to Sign Lease Renewal | <input type="checkbox"/> Substantial Rehabilitation | |
| <input type="checkbox"/> Denial of Access to Unit | <input checked="" type="checkbox"/> Ellis Act Withdrawal | <input type="checkbox"/> Severance of Housing Service |

[illegible]