



## UNIFORM HOTEL VISITOR POLICY

As amended March 30, 2010

1. No operator, employee or agent of a Residential Hotel, as defined in San Francisco Administrative Code Section 41.4(p), may impose or collect a charge for any person to visit a guest or occupant of the hotel. Additionally, no owner or operator of a single room occupancy hotel (SRO) shall deny a guest or occupant of the hotel the right as to:

A. Day Time Visitors

1. To receive visitors between 9:00 a.m. and 9:00 p.m. daily. A maximum of two (2) day time visitors at a time per room may be imposed by management. There is no limit on the total number of visitors a tenant may have per day, week or month.
2. Children 13 years old and under shall not be counted towards the visitor limitation rule. However, a maximum of two (2) children per room at a time can be imposed by management.
3. Census workers shall be allowed access to Residential Hotels during the hours of 9 a.m. until 8 p.m. for the purpose of census activities. For the purposes of this subsection, the term "census activities" means any activity that has as its primary purpose encouraging SRO occupants to participate in the census, including but not limited to conducting surveys and distributing handbills, door hangers and flyers related to the census. For the purposes of this subsection, the term "census worker" means an official employee of the U.S. Census Bureau or of an organization contracted by the City and County of San Francisco to perform Census outreach and education. Census employees shall present valid identification issued by the Bureau to a front desk clerk or property management staff. Employees of City-funded census outreach organizations shall present documentation from the Office of Citizen Engagement and Immigrant Affairs confirming that they are contracted with the City for Census outreach.

B. Overnight Guests

1. To have eight (8) overnight guests per month, limited to one visitor per tenant per night. Only tenants who have resided in their unit for thirty-two (32) continuous days or more shall be entitled to have overnight guests. Court-ordered custodial rights, which end at age seventeen (17), shall be honored for purposes of consecutive overnight stays but any such visits shall be counted toward the limitation on the number of overnight visitors.
2. For tenancies of two (2) persons per room, each tenant is permitted to have eight (8) overnight visitors per calendar month, but those tenants will have to reach agreement as to who will have the one (1) visitor per night if there is a dispute.

3. Tenants are entitled to have a visitor stay eight (8) days consecutively in a calendar month. Any visitor staying consecutive nights, as agreed upon, shall not be required to check in and out during the course of a consecutive stay. Otherwise, the visitor must check out by 11:00 a.m. or make arrangements with the desk to become a day time visitor.
  4. Requests for overnight guests shall be made no later than 9:00 p.m. on the same day. If a request is made but no visitor stays past 9:00 that evening, the request shall not be counted against the tenant's allowed eight (8) overnight guests per month, as long as the tenant has informed management in writing by 6:00 p.m. the following day that no overnight visit took place. The visitor does not have to be present at the time the request is made and the visitor's name need not be provided until the visitor arrives at the hotel, after which time the visitor shall have the same in and out privileges as the resident.
- C. Caregivers of disabled tenants shall be exempt from visitor limitations. The owner or operator of the hotel may request medical verification or a caregiver I.D. card.
2. Owners and operators of SROs shall have the right to adopt reasonable rules and regulations to ensure that the visitor rights set forth above do not infringe on the health and safety of the building and/or otherwise interfere with the tenants' right of quiet enjoyment.
- A. Owners or operators are entitled to request that visitors produce identification as follows:
1. Only ONE valid California or out-of-state current government agency issued picture I.D. need be provided, including but not limited to: a valid and current passport, a California Department of Motor Vehicles (DMV) issued I.D., a Mexican Consular Registration Card or Resident Alien Card, merchant seaman I.D., a Day Labor Program I.D., Veteran's Administration I.D or San Francisco City I.D. card.
  2. Owners/managers cannot require that an I.D. be left with management during the visitor's stay. If an I.D. is not left with management, tenants must escort their visitors out of the building and make sure that they sign out. If a tenant's visitor does not sign out upon leaving, the tenant may lose their visitor privileges for thirty days, which must be put in writing within seven days.
  3. A log must be maintained by management and the visitor must sign in and sign out. The log shall indicate when an I.D. is surrendered and when it is returned.
  4. If an I.D. is lost or misplaced and not returned within 12 hours of the visitor's request to have it returned, the owner/manager shall pay the visitor \$75.00 in cash immediately upon demand by the visitor as compensation for the loss and inconvenience of replacing the lost I.D.

- B. Owners and operators shall have the specific right to restrict visitors on two (2) of the three (3) actual check days of each month. Providers are required to post those blackout dates at least five (5) days prior to the first blackout date on a minimum size of 8-1/2" x 11", to be posted prominently by the entrance or in the lobby. Blackout dates shall not apply to children thirteen (13) years of age and under, custodial children or consecutive visitors.
  - C. Owners and operators may deny visitor rights for 30 days to tenants who are repeat violators of hotel visiting rules. No penalty may be imposed until the second violation, and violations shall expire after 18 months. All notices of violation of the policy, including the first notice, must be in writing with a copy provided to the tenant. These limitations on the right to revoke visitor rights do not apply in the case of failing to ensure that a guest signs out upon leaving the building, as specified in Section 2A(2) above.
  - D. Tenants who disagree with the imposition of a penalty may either:
    - 1. appeal to the operator or tenant representative (if one is present); or, in the alternative,
    - 2. the tenant may go directly to the Rent Board for adjudication of their complaint.
  - E. Owners and operators shall also have the right to limit the number of nights any single visitor can make to the property to eight (8) per calendar month.
  - F. Tenants shall not be required to escort their visitors to the bathroom or other common areas of the building, except as specified in Section 2A(2) above. However, the tenant is responsible for the conduct of their unaccompanied visitor.
3. Nothing in this section shall interfere with the rights of owners and operators of SROs to exclude specific visitors who willfully or wantonly:
- A. disturb the peaceful enjoyment of the premises by other tenants and neighbors;
  - B. destroy, deface, damage, impair, or remove any part of the structure or dwelling unit, or the facilities or equipment used in common; or,
  - C. have committed repeated violations of the visitor policy which can be construed as creating a nuisance on the property; or constituting substantial interference with the comfort, safety or enjoyment of the landlord or tenants, which can be a just cause for eviction under the Rent Ordinance, as determined by the courts.
  - D. Any time a tenant's visitor is excluded from the hotel, written notice must be delivered to the tenant after the fact with the visitor's name and the reason for the exclusion.
4. SRO owners or operators shall make available to their tenants a copy of any written Supplemental Visitor Policy that complies with this policy. SRO owners or operators are required to prominently post the Uniform Visitor Policy and any Supplemental Visitor Policy on a minimum size of 11" x 17" by the entrance or in the lobby.

5. Other than as a settlement of an unlawful detainer action, a tenant cannot waive the rights as outlined in this legislation. Any agreement between the SRO owner or operator and the tenant that reduces or limits the rights set forth in this legislation shall be deemed void and unenforceable.

6. Tenants are accorded certain and specific rights as a result of this legislation. If the SRO owner or operator violates this provision, a tenant will have legal recourse and will be encouraged to visit the San Francisco Rent Stabilization Board or the Police, as appropriate. Pursuant to Police Code Section 919.1(b), in addition to any available civil penalties, any operator, employee or agent of a Residential Hotel who violates any of the provisions of this Uniform Hotel Visitor Policy shall be guilty of an infraction, the penalty for which shall be a fine of not less than \$50 nor more than \$500, consistent with the California Government Code.

7. SRO owners or operators seeking a modification of the rights set forth above may file a petition with the San Francisco Rent Stabilization Board and receive a hearing on said petition. Notice of the time and date of said hearing shall be prominently posted by the SRO owner or operator above the front desk of the hotel, in the lobby and at least five (5) copies shall be posted on each floor of the building.

8. The Rent Board shall translate the Uniform Visitor Policy into the predominant languages of the community and make them available as needed.