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-Ms. X. N. Tan

San Francisco Real Estate Attorneys



STEVEN ADAIR MACDONALD

870 Market Street, Suite 500
San Francisco, CA 94102
Telephone: 415-956-6488
Fax: 415-956-8698
sam@samlaw.net

The San Francisco Real Estate Attorneys of Steven Adair MacDonald & Associates, P.C., literally “wrote the book” on landlord-tenant law in San Francisco. Steven Adair MacDonald, principal of Steven Adair MacDonald & Associates, is the author of *Landlord-Tenant Solutions in California* and *The San Francisco Rent Board User’s Guide*, widely recognized books on the subject of landlord-tenant law in the Bay Area. Our lawyers bring many decades of experience in real estate law to the negotiation table or the courtroom. We pride ourselves on finding creative solutions to complicated scenarios. We use a variety of conflict resolution strategies to help our clients achieve the best possible outcome for the least cost, including mediation, negotiation, and litigation.

“Just Cause” Evictions in San Francisco

If a residential building in San Francisco existed before June, 1979, with very rare exceptions, it is covered by the rent and eviction control law. There are very limited reasons (“just cause”) allowing for displacement of a tenant in such housing. These are of two types: (a) tenant’s bad behavior; and (b) landlord’s prerogative. Each of them has its own unique nits and pitfalls, and each requires an experienced skill set to navigate. This ordinance, at section 37.9(a), lists the 16 current allowable reasons.

“Just Cause” Evictions in San Francisco

1. Nonpayment or consistent late payment of rent.
2. Violation of a lease term (e.g., unapproved subletting).
3. Nuisance or damage to the unit, bothering the landlord or the neighbors.
4. Using the apartment for an illegal purpose.
5. Refusing to sign a renewal lease.
6. Not allowing reasonable access for inspection.
7. Remaining as an unapproved subtenant after original tenant has vacated.

Landlord’s Prerogatives

8. Owner or relative of the owner move in. (Requires lots of technical compliance, including relocation funds, plus good faith and lack of ulterior motive).
9. Selling a condo after its conversion.
10. Demolishing or removing a dwelling from housing use. (Requires permits and relocation payment to tenants; often used for illegal in-law units.)
11. Temporary displacement to do repairs or improvement. (Relocation money required.)
12. Total rehabilitation. (Allows permanent exemption from rent control, but a true rarity due to extreme restrictions).
13. Use of state law’s “Ellis Act”. (Also requires relocation payments but major burden is removal of all units in building from rental use for period of years, and constraints on condo conversion.)

14. Lead paint remediation. (Temporary removal.)
15. Demolition or removal from housing use based on redevelopment plan approved by the City. (Very rare.)
16. “Good Samaritan” emergency housing use (e.g., after a fire) terminated.

Conclusion

When a landlord or tenant is facing one or more of these situations he or she should explore the nuances of the factual situation, the details of the local ordinance and the regulations addressing it. Each has its own small body of law, in terms of Court of Appeals precedent and Rent Board holdings, and calls for the conventional wisdom developed after three decades of experience. The stakes are often quite high, since someone’s home is at stake, and litigation is usually expensive. Expert legal counsel is, needless to say, a necessity.

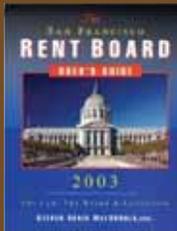
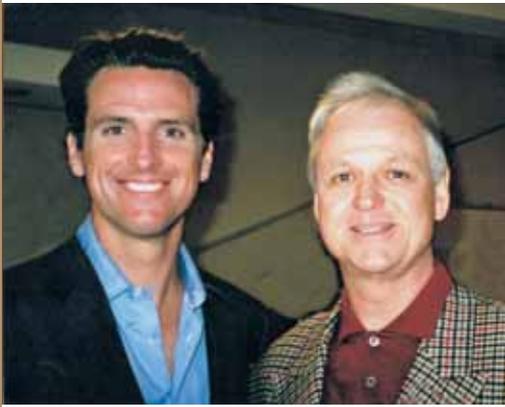


Steven, The Mayor and Steven’s Daughter

Mayor Edwin M. Lee, shown here at the rehearsal, was kind enough to officiate recently at the wedding of Steven’s daughter, Heather, who works in City Hall.



Steven Adair MacDonald &
Associates, P.C.
Attorneys at Law



Steven Adair MacDonald
is the author of
*Landlord-Tenant
Solutions in California*
and *The San Francisco
Rent Board User's Guide.*



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Steven Adair MacDonald

**We are pleased to announce Steven
MacDonald has recently been
awarded the highest rating possible
for an attorney, an AV Peer Review
Rating by Martindale-Hubbell!**

"Steven MacDonald's *San Francisco Rent Board User's Guide* is a positive and very useful contribution to the public's understanding of the law."

*-Mr. Joe Grubb, Executive Director
San Francisco Residential Rent Stabilization and
Arbitration Board*

"We got our money's worth! Mr. MacDonald is a very reasonable professional."

-Mr. H. P. Chen

"We were so worried! But we entrusted our legal problem to Mr. MacDonald and he did a super job."

-Ms. Mila Leiderman

"Mr. MacDonald's *Landlord-Tenant Solutions in California* is equally useful to lawyers and laymen."

*-Hon. William A. Newsome
Justice, California Court of Appeals [Ret.]*

*(These testimonials do not constitute a guarantee or prediction
of the outcome of your legal matter.)*

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