

SAN FRANCISCO HOUSING AUTHORITY

1815 EGBERT AVENUE, SAN FRANCISCO, CA 94124 MAIN LINE: (415)715-3500 TTY: (415)467-6754 www.SFHA.ORG

RENT ABATEMENT BASED ON HABITABILITY

A tenant may be entitled to rent abatement (rent credit or reduction in rent) if there are conditions in the unit that were reported to the SFHA and SFHA failed to repair the condition in accordance with the ACOP. The condition requiring repairs must not have been caused by the tenant, member of the household or guest.

Any rent abatement claims based on habitability conditions reported/claimed after January 1, 2015 will be required to go through the grievance process in accordance with 24 CFR 966.55(e). Tenant may request a grievance hearing by submitting a Request for Hearing that can be obtained through the Property Office or by visiting www.sfha.org.

To request rent abatement for habitability issues reported before January 1, 2015, a tenant must fill out a "Rent Abatement Request" form and submit it to the property office.

In order to be considered for rent abatement, all of the following requirements must be met:

- (1) The Authority must have been notified of the defect. Notice must be documented by a photo, an email to SFHA staff, a note confirming a conversation with SFHA staff, a work order, an inspection report, or any other document or written communication with SFHA staff;
- (2) Repairs were not made by the SFHA within reasonable time¹;
- (3) Alternative accommodations were not provided by the SFHA;
- (4) Tenant did not reject the Authority's offer of alternative accommodations; and
- (5) The damages for which abatement is sought were not caused by the tenant, a member of the tenant's household or a guest.

Provisions shall be made for abatement of rent in proportion to the seriousness of the damage and loss in value of a dwelling if repairs are not made in accordance with the ACOP.

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¹ Reasonable time is defined as 30 days for routine repairs and 24 hours for emergency repairs. In limited circumstances, more than 30 days may be reasonable. See Admissions and Continued Occupancy Policy.

Defects hazardous to life, health or safety include, but are not limited to, the following:
Any condition that jeopardizes the security of the unit
Major plumbing leaks or flooding, waterlogged ceiling or floor in imminent
danger of falling
Natural or LP gas or fuel oil leaks
Any electrical problem or condition that could result in shock or fire
Absence of a working heating system when outside temperature is below 60
degrees Fahrenheit
Utilities not in service, including no running hot water
Conditions that present the imminent possibility of injury
Obstacles that prevent safe entrance or exit from the unit
Absence of a functioning toilet in the unit
Inoperable smoke detectors
Additional concerns (for example, inoperable or defective essential appliances) will be
reviewed on a case by case basis.

The following habitability conditions will be considered for rent abatement:

The appropriate abatement amount will be determined on a case by case basis, taking into account the severity of the condition, the impact on the household's quality of life, the amount of time that the condition was unaddressed by SFHA or provision of alternative accommodations. If an individual case falls outside of the above guidelines, SFHA will use its discretion in deciding whether rent abatement is warranted and the amount of abatement, if any.

In order to initiate the process for rent abatement for issues reported prior to January 1, 2015, the tenant must submit a "Request for Rent Abatement" form to the Property Manager. Tenant should indicate the amount of rent abatement Tenant requests in the spaces provided on the form. The SFHA will (1) Review the form; (2) Make a determination and (3) Notify the tenant of the determination within 30 days of the date the determination was made. Tenant may grieve the amount of the abatement granted by requesting a hearing within 10 days of the receipt of the notice of rent abatement amount. Tenant may request a grievance hearing by submitting a Request for Hearing that can be obtained through the Property Office or by visiting www.sfha.org.

DAMAGE TO TENANT'S PERSONAL PROPERTY

The SFHA is not responsible for loss or damage to personal property in or around the residence. Tenants are strongly encouraged to obtain Renter's insurance at their own expense to protect their property against loss or damage due to fire, flood, theft, vandalism, or other casualty. Tenant may submit a claim for loss or damage of personal property to the:

San Francisco Housing Authority Attn: Human Resources Department 1815 Egbert Avenue, San Francisco, CA 94124

The claim form can be found at www.sfha.org under "Agency Information" and then "Forms."

REQUEST FOR RENT ABATEMENT

NAME:
ADDRESS:
CONTACT:
I AM REQUESTING RENTABATEMENT FOR:
Defects in my unit:
 Defects hazardous to life, health or safety include, but are not limited to, the following: Any condition that jeopardizes the security of the unit Major plumbing leaks or flooding, waterlogged ceiling or floor in imminent danger of falling Natural or LP gas or fuel oil leaks Any electrical problem or condition that could result in shock or fire Absence of a working heating system when outside temperature is below 60 degrees Fahrenheit Utilities not in service, including no running hot water Conditions that present the imminent possibility of injury Obstacles that prevent safe entrance or exit from the unit Absence of a functioning toilet in the unit Inoperable smoke detectors Additional concerns (for example, inoperable or defective essential appliances) will be reviewed on a case by case basis.
☐ If other, please list here: (Additional concerns including but not limited to, inoperable or defective essential appliances, will be reviewed on a case by case basis.)
I notified the Property Office of the above described habitability concerns on:

In order to be considered for rent abatement without a grievance hearing for concerns reported prior to January 1, 2015, you must attach evidence that the authority was aware of the above concerns. Examples of evidence may include, but are not limited to: work orders, inspection reports, photos, emails, or any other document or written communication with the SFHA.

Tenants have the right to review their file and request the work order history and copy of any work orders from the property manager.

ONCE COMPLETED, TENANTS MUST SUBMIT THIS FORM TO THE PROPERTY

MANAGEMENT OFFICE FOR PROCESSING.