

Amendment 1

to

CB 120090 – Right of First Refusal

Sponsor: CMs Sawant and Morales

Explicitly establishing that federal law controls in case of a conflict

Amend Section 7.24.030 as follows:

* * *

K. Nothing in this Section 7.24.030 shall be interpreted or applied so as to create any power or duty in conflict with federal law. In the event of any conflict, federal requirements shall supersede the requirements of this Section 7.24.030.

* * *

Amend Section 22.206.160.C.10 as follows:

10. If a tenant has agreed to terminate a tenancy, including but not limited to termination within a rental agreement or in a separate termination agreement, the tenant may rescind that agreement to terminate a tenancy:

a. Within ten business days after signing the agreement by delivering written notice of rescission to the landlord, unless subsection 22.206.160.C.10.c applies; or

b. More than ten business days after signing the agreement by delivering written notice of rescission to the landlord if the tenant signed the agreement: without representation by an attorney or other tenant advocate; or outside of a proceeding mediated by a neutral third party.

c. Subsection 22.206.160.C.10.a does not apply to a mutual termination agreement described in 24 CFR 982.354, in which a tenant with a housing choice voucher may move to a new unit when a lease has terminated only via mutual termination agreement.

Asha Venkataraman

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Version: 1

d. Nothing in this subsection 22.206.160.C.10 shall be interpreted or applied so as to create any power or duty in conflict with federal law. In the event of any conflict, federal requirements shall supersede the requirements of this subsection 22.206.160.C.10.

Effect: This amendment would make explicit that if there is a conflict between the added language in this ordinance and anything in federal law, that federal law will control. Because the bill does not exempt any federally assisted housing providers from its requirements, the added clauses make clear that if any conflict does arise, federal requirements supersede City law.