

DIVISION 19
San Diego Residential Hotel Regulations

(Added 8-17-77 by O-12127 N.S., effective immediately.)

(Repealed 4-28-86 by O-16630 N.S. — Emergency Temporary Zoning Ordinance)

(Added 11-16-87 by O-16979 N.S. new title — San Diego Residential Hotel Regulations)
(Amended 3-7-88 by O-17037 N.S.)

§ 101.1900 Title

Sections 101.1900 through 101.1910 shall be known as the San Diego Residential Hotel Preservation Regulations.

(Added 11-16-87 by O-16979 N.S.)

§ 101.1901 Findings

The Council of The City of San Diego finds and declares that:

The City of San Diego's housing market is not meeting the need for affordable housing especially for lower income households.

Rooms in residential hotels traditionally house the City's lowest income households.

The City of San Diego documented the loss of at least 1,247 (in residential hotels) since 1976 in the downtown area alone.

A Housing Commission sponsored study has anticipated a decrease of as many as 950 additional residential hotel rooms in the downtown area alone over the next three (3) years, a decrease equivalent to a loss of approximately one-third (1/3) of the City's present total of rooms in downtown residential hotels.

The San Diego Association of Governments has forecast for the City of San Diego an increase of 7,264 very low income households by 1990.

The Regional Task Force on the Homeless, established by joint action of the Board of Supervisors, the City Council, and the United Way, has recommended housing preservation regulations to preserve existing residential hotel rooms.

The City's Housing Element 1985 has called for consideration of a one-year moratorium on the demolition or conversion of residential hotel rooms.

Further loss of residential hotel rooms could impair the ability of The City of San Diego to implement housing programs which are in the interest of the public health, safety and general welfare.

Municipal Code Section 91.01 empowers the City to regulate the conversion and/or demolition of buildings in the City of San Diego.

An Interim Residential Hotel Room Preservation Ordinance was adopted on December 16, 1985, as an emergency measure to address this situation and has been extended on two separate occasions.

(Added 11-16-87 by O-16979 N.S.)

§ 101.1902 Purpose

It is the purpose of the San Diego Residential Hotel Preservation Regulations to benefit the general public by minimizing the adverse impact on the housing supply resulting from the loss of residential hotel rooms through their conversion and demolition.

(Added 11-16-87 by O-16979 N.S.)

§ 101.1902.1 Off-Premises Outdoor Advertising Display

(Repealed 4-28-86 by O-16630 N.S.)

§ 101.1902.2 Single Display

(Repealed 4-28-86 by O-16630 N.S.)

§ 101.1902.3 Political Campaign

(Repealed 4-28-86 by O-16630 N.S.)

§ 101.1903 Definitions

A. "APPLICANT" is any owner who undertakes the conversion or demolition of any residential hotel.

B. "COMMISSION" shall refer to the San Diego Housing Commission or successor agency which is the agency primarily responsible for development and implementation of a program to preserve and create residential hotel rooms.

C. "CONVERSION" means to change any residential hotel structure or part thereof utilized for residential or transient hotel rooms to any other use by physical means.

D. "DEMOLITION" means to disassemble or destroy any residential hotel structure, or part thereof, used for residential hotel room purposes so as to render it unfit for such use.

E. "HOUSING REPLACEMENT AGREEMENT" is an agreement between the Commission and the applicant specifying the manner in which replacement housing requirements of the San Diego Residential Hotel Preservation Regulations will be met.

F. "LOW INCOME" means any household whose income exceeds fifty percent (50%) but does not exceed eighty percent (80%) of the median income as adjusted for household size as defined by the U.S. Department of Housing and Urban Development (HUD) for the San Diego Standard Metropolitan Statistical Area.

G. "LOW INCOME HOUSING PROJECT" reserves at least fifty percent (50%) of its units for low income residents.

H. "OWNER" is any person, partnership, association, joint venture, corporation or other entity or combination of entities who owns any residential hotel. Owner shall also include agents and any other person acting on the owner's behalf.

I. "REPLACEMENT PLAN" is a specific plan to replace residential hotel rooms prepared by the owner and approved by the Commission and incorporated into a Housing Replacement Agreement.

J. "RESIDENTIAL HOTEL" means a building, structure, or property which as of December 16,

1985 contained five (5) or more rooms of which at least twenty percent (20%) of the rooms were residential hotel rooms. Notwithstanding the above, a residential hotel does not include any building, structure, or property in which persons are housed or detained under legal restraint or hospitalized or otherwise under medical, nursing or psychiatric care.

K. "RESIDENTIAL HOTEL ROOM" means a guest room as defined by Municipal Code Section 101.0101.29 which was occupied by the same person from November 16, 1985 to December 16, 1985, and is located in a residential hotel as defined in paragraph J. above and was rented at or below 30% of 50% of the monthly median income adjusted for a household size of one as defined by the U.S. Department of Housing and Urban Development (HUD) for the Standard Metropolitan Statistical Area of San Diego, California (\$276 in 1985).

L. "SRO HOTEL" is a residential hotel as defined in paragraph J. above or a hotel which includes five or more SRO hotel rooms which were brought into service after December 16, 1985.

M. "SRO HOTEL ROOM" is a residential hotel room, a transient hotel room, a living unit (as described in Section 17958.1 of the California Health & Safety Code, adopted in 1987), or a guest room as defined in Municipal Code Section 101.0101.29 which was brought into service after December 16, 1985, rents at or below 30% of 50% of the monthly median income adjusted for a household size of one as defined by the U.S. Department of Housing and Urban Development (HUD) for the Standard Metropolitan Statistical Area of San Diego, California (\$276 in 1985), and is located in an SRO Hotel.

N. "TENANT" is any residential occupant of a residential hotel.

O. "TRANSIENT HOTEL ROOM" means a room within a residential hotel which is not a residential hotel room as defined in paragraph K. above rented at or below 30% of 50% of the monthly median income adjusted for a household size of one as defined by HUD for the Standard Metropolitan Statistical Area of San Diego, California (\$276 in 1985), and is not an office, lobby, hallway, stairway, storage or equipment room or other area within the structure which may not be legally let or rented for sleeping purposes.

P. "VERY LOW INCOME" means any household whose income does not exceed fifty percent (50%) of median income as adjusted for household size as defined by the U.S. Department of Housing and Urban Development (HUD) for the San Diego Standard Metropolitan Statistical Area.

Q. "VERY LOW INCOME HOUSING PROJECT" reserves at least twenty percent (20%) of its units for very low income residents.

(Amended 3-7-88 by O-17037 N.S.)

§ 101.1904 Application of Regulations

The San Diego Residential Hotel Preservation Regulations shall apply to the demolition, conver-

sion or change of use of all residential and transient rooms in residential hotels in the City of San Diego except those listed below.

A. A residential or transient hotel room located in a residential hotel for which a building permit for conversion or demolition had been issued prior to December 16, 1985.

B. A residential or transient hotel room located in a residential hotel which is proposed to be converted into a low or very low income housing project or demolished to allow for new construction of a low or very low income housing project on the same site within two (2) years of demolition pursuant to an agreement with the Commission.

C. Demolition or conversion of a residential or transient hotel room located in a residential hotel necessary to implement a redevelopment project or a project which is to be developed under a planned development permit or other discretionary permit. An exemption under this section shall be considered by the City Council and granted only if the City Council finds that the project will contribute to the health, safety and general welfare and such contribution will exceed the negative impact on the supply of residential hotels which will result from the demolition or conversion.

D. A residential hotel which has been determined by the Building Inspection, Health or Fire Departments to be an unsafe building and the Commission determines that there is no viable alternative to demolition. In this case, replacement restrictions as stated in Section 101.1909 apply at the time of new construction if the supply is below the threshold.

E. The demolition or conversion results in the development of a project for housing low income senior citizens operated by a nonprofit corporation.

F. A residential hotel which was determined exempt from Ordinance No. O-16562 (New Series) and by Resolution Nos. 1267 and 1322 of the Redevelopment Agency of The City of San Diego.

(Amended 3-7-88 by O-17037 N.S.)

§ 101.1905 Administration

The Commission, or successor agencies, as the agency responsible for administering the San Diego Residential Hotel Preservation Regulations shall:

A. Review all applications for permits to demolish or convert hotels to identify any building that is a residential hotel not exempt from the provisions of the San Diego Residential Hotel Preservation Regulations.

B. Prepare a Replacement Plan format describing the options available to the applicant and requiring the applicant to prepare a specific plan.

C. Review the Replacement Plan prepared by the applicant to determine whether or not it meets the intent of the San Diego Residential Hotel Preservation Regulations.

D. Accept or reject the Replacement Plan and identify its terms in a Housing Replacement Agreement which upon approval shall be recorded.

E. Prepare and implement a system to monitor

compliance of the Housing Replacement Agreements with the San Diego Residential Hotel Preservation Regulations.

F. Manage The City of San Diego Residential Hotel Replacement Fund and cause replacement units to be acquired, constructed or rehabilitated.

(Added 11-16-87 by O-16979 N.S.)

§ 101.1906 Determination and Registration of Residential Hotel Rooms and Transient Hotel Rooms

A. INITIAL STATUS REPORT REQUIREMENTS

Beginning January 1, 1988, the Commission shall attempt to contact each residential hotel owner and operator, through mailings and public service announcements, informing them of the requirement that within forty-five (45) days the owner or operator of each hotel shall file with the Commission either a statement of exclusion pursuant to Section 101.1904, or a report with the following information as of December 16, 1985:

1. The total number of rooms in the residential hotel.
2. The total number of residential hotel rooms.
3. The total number of transient hotel rooms.
4. A rent schedule for all residential and transient hotel rooms.
5. The hotel log or other documentation acceptable to the Commission to substantiate these responses.

B. EXTENSION

Upon application of the owner/operator and based on a showing of good cause, the Commission may grant an extension of fifteen (15) days in which to comply with the above reporting requirements.

C. POSTING REQUIREMENTS

At the time the report is filed with the Commission, a copy shall be posted, along with a copy of these regulations, for thirty (30) days at the central location in the residential hotel accessible to all tenants. Any tenants wishing to comment may contact the Commission within the 30-day period.

D. ROOM DESIGNATION

After the 30-day comment period has elapsed, the status of each room shall be determined by the Commission. The Commission shall consider all available relevant information in making its determination, including, but not limited to, the report and evidence submitted in support thereof, tenant comments, transient occupancy tax payment records, and exclusion claims. If no report is received, or if the information received is inadequate to substantiate the claim of transient hotel room status, the Commission shall presume the hotel to be a residential hotel and all rooms to be residential hotel rooms affordable to a residential low income single person household.

(Added 11-16-87 by O-16979 N.S.)

§ 101.1907 Determination of the Supply of Residential Rooms, Transient Rooms and

SRO Hotel Rooms

A. A threshold shall be established by determining the number of residential and transient hotel rooms within residential hotels as of December 16, 1985.

B. The SRO Hotel Room Supply shall be calculated at 6-month intervals by identifying the number of SRO hotel rooms available for service on June 16 and December 16 of each year. Initially, the SRO hotel room supply shall indicate the number of SRO hotel rooms available for service on December 16, 1987.

(Added 11-16-87 by O-16979 N.S.)

§ 101.1908 Demolition or Conversion Permit Requirement

Prior to the issuance of a demolition permit or a building permit to convert the building, structure, or portion thereof, used as residential or transient hotel rooms, the applicant shall execute a Housing Replacement Agreement with the Commission pursuant to Section 101.1909.

(Added 11-16-87 by O-16979 N.S.)

§ 101.1909 Housing Replacement Requirement

Replacement residential hotel rooms shall be provided within the Community Plan area in which the residential and transient hotel rooms have been demolished or converted and shall be completed by applicant and ready for occupancy within three (3) years of the date that the demolition or conversion permit is issued. Alternate sites on public transportation corridors outside the Community Plan area may be approved by the Commission. Replacement residential hotel rooms shall be provided at rents affordable to very low income and low income single person households as most recently established by the U.S. Department of Housing and Urban Development (HUD) for the San Diego Standard Metropolitan Statistical Area in the same proportions as documented in the rent schedule provided pursuant to Section 101.1906. Residential hotel rooms shall be provided at a ratio of one (1) replacement room for each existing residential hotel room (1:1) for a period of ten (10) years. Furthermore, transient rooms must also be provided on a 1:1 basis and remain available for occupancy as transient or residential rooms for a period of ten years; however, these rooms shall not be subject to affordability restrictions. Both residential and transient rooms shall be provided by one of the following methods:

A. Construction of new residential and/or transient hotel rooms.

B. Rehabilitation or conversion of hotel rooms for use as residential and/or transient hotel rooms which have been continuously vacant for more than one year prior to the permit application.

C. Conversion of nonresidential structures into residential and/or transient hotel rooms.

D. In lieu of providing units, applicants may contribute to a Residential Hotel Replacement Fund in an amount equal to fifty percent (50%) of the

replacement cost of the residential and/or transient hotel rooms to be demolished or converted. That cost shall be calculated by multiplying one-half of the hotel area demolished or converted by the estimated development cost per square foot of newly constructed, average quality, SRO hotels in the City (currently \$7,500 per room). Monies deposited in this fund shall be used solely to assist the production or rehabilitation of SRO residential hotel rooms.

(Added 11-16-87 by O-16979 N.S.)

§ 101.1910 Limitations

The City's Building Inspection Department shall be authorized to issue permit(s) for the demolition or conversion of residential and/or transient hotel rooms without a replacement requirement until the most recent SRO Hotel Room Supply, as defined by Section 101.1907.B., decreases to an amount equal to or below the threshold, as defined in Section 101.1907.A. The Building Inspection Department shall issue no permits pursuant to this Section until the threshold and the SRO Hotel Room Supply have been established.

(Added 11-16-87 by O-16979 N.S.)

§ 101.1911 Special Use Permits

(Repealed 4-28-86 by O-16630 N.S.)

§ 101.1912 Displays, Devices and other Items Exempt from these Regulations

(Repealed 4-28-86 by O-16630 N.S.)

§ 101.1913 Outstanding Permits

(Repealed 4-28-86 by O-16630 N.S.)

§ 101.1914 Severability

(Repealed 4-28-86 by O-16630 N.S.)

§ 101.1920 Title

Sections 101.1920 through 101.1928 shall be known as the San Diego Residential Hotel Room Permanent Resident Relocation Assistance Regulations.

(Added 11-30-87 by O-16987 N.S.)

§ 101.1921 Purpose

It is the purpose of these regulations to benefit the general public by minimizing the adverse impact on the housing supply and on displaced persons, particularly those who are very low income, elderly and disabled, resulting from the permanent or temporary loss of residential hotel rooms through their conversion, demolition or rehabilitation.

(Added 11-30-87 by O-16987 N.S.)

§ 101.1922 Definitions

A. "APPLICANT" is any owner who undertakes the conversion or demolition of any residential hotel.

B. "COMMISSION" shall refer to the San Diego Housing Commission or successor agency which is

the agency primarily responsible for development and implementation of a program to preserve and create residential hotel rooms.

C. "CONVERSION" means to change any residential hotel structure or part thereof utilized for residential hotel rooms to any other use by physical means.

D. "DEMOLITION" means to disassemble or destroy any residential hotel structure, or part thereof, used for residential hotel room purposes so as to render it unfit for such use.

E. "LOW INCOME" means any household whose income exceeds fifty percent (50%) but does not exceed eighty percent (80%) of the median income as adjusted for household size as defined by the U.S. Department of Housing and Urban Development (HUD) for the San Diego Standard Metropolitan Statistical Area.

F. "OWNER" is any person, partnership, association, joint venture, corporation or other entity or combination of entities who owns any residential hotel. Owner shall also include agents and any other person acting on the owner's behalf.

G. "PERMANENT RESIDENT" is any very low income person who has resided in a residential hotel for ninety (90) or more consecutive days as of the date the owner submits a permit application.

H. "REHABILITATION" means the construction, reconstruction, renovation, replacement, extension, repair, or otherwise improving any residential hotel structure which results in the displacement of permanent residents.

I. "RESIDENTIAL HOTEL" means a building, structure, or property which as of December 16, 1985 contained five (5) or more rooms of which at least twenty percent (20%) of the rooms were residential hotel rooms. Notwithstanding the above, a residential hotel does not include any building, structure, or property in which persons are housed or detained under legal restraint or hospitalized or otherwise under medical, nursing or psychiatric care.

J. "RESIDENTIAL HOTEL ROOM" means a guest room as defined in Municipal Code Section 101.0101.29 which was occupied by the same person from November 16, 1985 to December 16, 1985, and is located in a residential hotel as defined in paragraph I. above and was rented at or below the equivalent of \$276 per month.

K. "TENANT" is any residential occupant of a residential hotel.

L. "TRANSIENT HOTEL ROOM" means a room within a residential hotel which is not a residential hotel room as defined in paragraph J. above rented at or below 30% of 50% of the monthly median income adjusted for a household size of one as defined by HUD for the Standard Metropolitan Statistical Area of San Diego, California, and is not an office, lobby, hallway, stairway, storage or equipment room or other area within the structure which may not be legally let or rented for sleeping purposes.

M. "VERY LOW INCOME" means any household whose income does not exceed fifty percent (50%) of median income as adjusted for household size as defined by the U.S. Department of Housing and Urban Development (HUD) for the San Diego Standard Metropolitan Statistical Area.

(Added 11-30-87 by O-16987 N.S.)

§ 101.1923 Determination and Registration of Residential Hotel Rooms and Transient Hotel Rooms

A. INITIAL STATUS REPORT REQUIREMENTS

Within sixty (60) days of enactment of the San Diego Residential Hotel Room Permanent Resident Relocation Assistance Regulations, the Commission shall attempt to contact each residential hotel owner and operator, through mailings and public service announcements, informing them of the requirements that within forty-five (45) days the owner or operator of each residential hotel shall file with the Commission a report with the following information as of December 16, 1985:

1. The total number of rooms in the residential hotel.
2. The total number of residential hotel rooms.
3. The total number of transient hotel rooms.
4. A rent schedule for all residential hotels rooms.

5. The hotel log or other documentation acceptable to the Commission to substantiate these responses.

B. EXTENSION

Upon application of the owner/operator and based on a showing of good cause, the Commission may grant an extension of fifteen (15) days in which to comply with the above reporting requirements.

C. POSTING REQUIREMENTS

At the time the report is filed with the Commission, a copy shall be posted, along with a copy of these regulations, for thirty (30) days at the central location in the residential hotel accessible to all tenants. Any tenants wishing to comment may contact the Commission within the 30-day period.

D. ROOM DESIGNATION

After the 30-day comment period has elapsed, the status of each hotel shall be determined by the Commission. The Commission shall consider all available relevant information in making its determination, including, but not limited to, the report and evidence submitted in support thereof, tenant comments, transient occupancy tax payment records, and exclusion claims. If no report is received, or if the information received is inadequate to substantiate the claim of transient hotel room status, the Commission shall presume the hotel to be a residential hotel and all rooms to be residential hotel rooms affordable to a residential very low income single person household.

(Added 11-30-87 by O-16987 N.S.)

§ 101.1924 Residential Hotel Permanent

Resident Provisions

Except as hereinafter provided, every applicant for a building or other permit for, or related to, the demolition, conversion or rehabilitation of a residential hotel, residential hotel room, or portion thereof, shall submit a list of tenants at the time of application and shall provide or make available the benefits and notices specified in Sections 101.1925 and 101.1926 to every permanent resident displaced as a result of the proposed demolition, conversion or rehabilitation. Benefits provided by Sections 101.1925.A. and B. and 101.1926.II.A. and B. are not required to be provided to permanent residents if living space, comparable in size accommodations and cost that does not exceed 110% of the permanent resident's rental charged for the last month of residency preceding his or her relocation, is provided to the permanent residents on the premises or off-site during the period of rehabilitation in the event of rehabilitation of a residential hotel. In cases when comparable living space is provided, the applicant shall pay each affected permanent resident a sum in the amount of \$100 to cover moving and related expenses. Relocation provisions of the San Diego Residential Hotel Room Permanent Resident Relocation Assistance Regulations shall not apply to projects under which relocation benefits or payments are required under state or federal law.

(Added 11-30-87 by O-16987 N.S.)

§ 101.1925 Benefits

Every permanent resident of a residential hotel to be demolished, converted or rehabilitated shall be entitled to the following benefits and rights:

A. FINANCIAL ASSISTANCE

1. One lump sum payment in an amount equal to two times the median residential hotel rent in the case of hotel demolition or conversion, or an amount equal to the monthly median residential hotel rent in the case of hotel rehabilitation, as determined annually by the Housing Commission. In addition, each permanent resident shall be entitled to a rent rebate of \$10 per month for each month's residency in excess of 90 days. The maximum amount of rebate shall be \$210. Length of residence shall be calculated from date of initial occupancy by the permanent resident to the date of application for a building or other permit.

2. The financial benefits shall be paid by the owner to the permanent residents within five (5) business days of an oral or written notice by the permanent residents that they will vacate the premises on a date specified by the permanent resident, but no more than thirty (30) days in advance of the move-out date. The permanent residents shall sign a receipt for the payment. In the event the permanent residents provide less than five (5) days' notice of the move-out date, all monies due the permanent residents shall be paid within five (5) days after the permanent residents relinquish their tenancy.

B. TECHNICAL ASSISTANCE

In addition to the financial assistance provided by paragraph A. above, the Commission shall provide assistance to permanent residents in locating decent, safe and affordable housing opportunities, if requested, by the permanent resident. This assistance shall include a relocation plan for each permanent resident which shall make adequate provision for the relocation of permanent residents displaced by the conversion, demolition or rehabilitation of residential hotels.

C. EXTENDED TENANCY PERIOD

The permanent resident is entitled to at least ninety (90) days' notice of termination of tenancy which may not be given prior to the date of the notice required by Section 101.1926.

D. PERMANENT RESIDENT EVICTIONS PRIOR TO APPLICATION

Notwithstanding any provision of the San Diego Residential Hotel Room Permanent Resident Relocation Assistance Regulations to the contrary, no permit to demolish or convert a residential hotel shall be issued until 180 days has elapsed since the last eviction of a permanent resident unless such eviction was for:

1. Failure to pay rent; or
2. Breach of material covenants, conditions, restrictions or provisions in the rental agreement; or
3. Committing waste or creating a nuisance; or
4. Using the residential hotel room for an illegal purpose.

In addition to the tenant list required by Section 101.1924, the applicant shall submit a list of the names of any permanent residents evicted during the preceding 180 days and the reasons for such eviction.

(Added 11-30-87 by O-16987 N.S.)

§ 101.1926 Tenancy Termination and Relocation Assistance Notice

At the time the application for a building or other permit for the demolition, conversion or rehabilitation of a residential hotel building, room, or portion thereof is made, the owner must deliver to each affected permanent resident a Tenancy Termination and Relocation Assistance Notice in the following form:

TENANCY TERMINATION AND RELOCATION ASSISTANCE NOTICE

YOU ARE HEREBY NOTIFIED that:

I. On (date), (owner's name) applied for a building or other permit for the demolition, conversion or rehabilitation of the residential hotel in which you reside.

II. Each permanent resident (any person who has resided in this residential hotel for ninety (90) or more consecutive days as of the date set forth in paragraph I. above) is entitled to the following benefits:

A. Financial Assistance:

1. One lump sum payment, the initial amount of
2. The financial benefits shall be paid by the

A: Financial Assistance:

1. One lump sum payment, the initial amount of which shall be \$_____, plus a rent rebate of \$10 per month based on length of tenancy as of the date of application for a building or other permit, as illustrated in the examples below:

Length of Residency	Additional Rent Rebate
91 days (minimum)	\$ 10
121 days	20
181 days	40
12 months and 1 day	90
18 months and 1 day	150
More than 2 years (maximum)	210 maximum

owner to the permanent residents within five (5) business days of an oral or written notice by the permanent residents that they will vacate the premises on a date specified by the permanent resident, but no more than thirty (30) days in advance of the move-out date. The permanent residents shall sign a receipt for the payment. In the event the permanent residents provide less than five (5) days notice of the move-out date, all monies due the permanent residents shall be paid within five (5) days after the permanent residents relinquish their tenancy.

Oral or written notice for payments as described above shall be given by the permanent resident to the owner or his representative as designated below:

- NAME: _____
- ADDRESS: _____
- TELEPHONE: _____

B. Technical Assistance

In addition to the financial assistance required of the owner as provided by paragraph A. above, the Housing Commission shall provide assistance to a permanent resident in locating decent, safe and affordable housing opportunities, if requested by the permanent resident. If you desire assistance, please contact the San Diego Housing Commission, 1625 Newton Avenue, San Diego, CA 92113, telephone (619) 231-9400.

C. Extended Tenancy Period

You are entitled to remain a resident for a period of not less than ninety (90) days from the date set forth in paragraph I. above, provided you are not in default of the provisions of your rental agreement with the owner or operator of the building.

The notice required by this Section shall be delivered to each affected permanent resident personally or by mail and written acknowledgement of service on and receipt by the permanent resident shall be secured. In order to terminate a tenancy, for the purpose of demolition, conversion or rehabilitation of a building or room regulated under the San Diego Residential Hotel Room Permanent Resident Relocation Assistance Regulations, the owner must comply with the San Diego Residential Hotel Room Permanent Resident Relocation Assistance Regulations. The permit to demolish, convert or rehabilitate shall not be issued until ninety (90) days after

the date of the Tenancy Termination and Relocation Assistance Notice and only upon submission of proof of service of the required notice(s), whichever later occurs.

(Added 11-30-87 by O-16987 N.S.)

§ 101.1927 Standing

A permanent resident, as defined in Section 101.1922, injured by any violation of these regulations, shall be entitled to declaratory relief, injunctive relief and damages in a civil action. Counsel for the tenant shall notify the Office of the City Attorney of The City of San Diego of any action filed pursuant to this Section.

(Added 11-30-87 by O-16987 N.S.)

§ 101.1928 Severability

If any provision of the San Diego Residential Hotel Room Permanent Resident Relocation Assistance Regulations is determined to be void by any court of competent jurisdiction, such determination shall not affect any other provisions of the San Diego Residential Hotel Room Permanent Resident Relocation Assistance Regulations and such other provisions shall remain in full force and effect.

(Added 11-30-87 by O-16987 N.S.)