



# San Francisco SRO Task Force

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Members:

Rosemary Bosque, J.D.,  
Chair  
Department of Building  
Inspection

Bruce Burge  
SRO Operator

Angela Chu  
Chinatown SRO  
Collaborative

Seth Katzman  
Director, Supportive Housing  
& Community Services,  
Conard House

Joyce Lam  
Families in SROs  
Collaborative

Victor Nelson  
Tenant Representative

Johnson Ojo  
DPH Environmental Health  
Services

Sam Patel  
SRO Operator

Charles Siron  
Tenant Representative

Wolfgang Stuwe  
DPH Housing & Urban  
Health

Pratibha Tekkey  
Central City SRO  
Collaborative

Alex Tse, J.D.  
City Attorney's Office

Joshua Vining  
Mission SRO Collaborative

Scott Walton  
Human Services Agency

## SRO HOTEL HEALTH & SAFETY TASK FORCE COMMITTEE MINUTES –March 15, 2012

1650 Mission Street, Room 431

**Chair:** Rosemary Bosque

**Members Present:** Bruce Burge(SRO Operator); Angela Chu (Chinatown SRO Collaborative); Seth Katzman (Conard House); Joyce Lam (Families in SRO's Collaborative); Victor Nelson(Tenant Representative); Dr. Johnson Ojo, Environmental Health (DPH);Sam Patel (SRO Operator); Wolfgang Stuwe(DPH); Pratibha Tekkey(Central City SRO Collaborative); Alex Tse (City Attorney's Office); Joshua Vining(Mission SRO Collaborative);Scott Walton(HSA-Housing & Homeless Programs).

**Absent: Excused:** Charles Siron (Tenant Representative)

**Guests:** Sari Bilick (Chinatown SRO Collaborative); Karen Cohn, Environmental Health (DPH); Dannette Lambert (Central City SRO Collaborative); Joseph Ossai (Environmental Health DPH); Allan Pera Environmental Health (DPH); Charles Pitts (SRO Tenant); Alma Synder

**Minutes:** May Pasion (DBI-HIS)

### 1. Call to Order

The meeting was called to order by Rosemary Bosque at 9:20 AM.

### 2. Roll call/Determination of Quorum

There was a quorum.

### 3. Approval of Minutes was continued to next meeting

### Public Comment on Agenda Item #3.

Charles Pitts requested that his letters given to the Taskforce at the February 2012 meeting be included as part of the record as he requested.

Rosemary Bosque stated the letters would be included as part of the record. Alex Tse verified that the letters had been received.

### 4. Administrative Announcements-Discussion

Rosemary Bosque had no announcements.

Pratibha Tekkey invited all to the Central City SRO Colloboarative Open House on March 21, 2012 from 4:30-6:30PM at 48 Turk Street.

**Public Comment on Agenda Item #4**

Charles Pitts requested announcements be provided in the form of a written report in bullet points.

**5. DPH Presentation by Karen Cohn Regarding Proposed Improvements to Best Practices and DPH Rules/Regulations related to bed bug infestations.**

Rosemary Bosque introduced Karen Cohn of the Department of Public Health (DPH).

Karen Cohn acknowledged Dr. Ojo's staff in providing input/revision to the current DPH *Rules and Regulations for the Prevention and Control of Bed Bug Infestation*. Karen announced that there was a DPH Hearing scheduled for March 22, 2012 at 1:30PM-3:00PM in Room 300 of 101 Grove Street to discuss and receive public comment regarding proposed revisions to the Rules and Regulations.

Karen Cohn invited all to attend, and encouraged people to submit written comments to incorporate into the meeting record. She stated that those submitting written comments were not required to attend the hearing for their comments to be included in the hearing record. The intent of the meeting is to make improvements and get people to work together.

**General Discussion of the Proposed Revisions:**

Karen explained that the most significant proposed revision to the Rules and Regulations was a chronological reorganization of required activities grouped by the parties pertinent to the bed bug abatement process delineating their individual responsibilities.

Karen indicated that in formulating the revisions the bed bug regulations of other cities were reviewed. The DPH research revealed that San Francisco is in a leadership position compared to other cities regarding bed bug abatement regulation. Karen indicated that the regulations of New York City were reviewed and they were found to contain a stringent posting requirement that buildings were undergoing a bed bug management plan.

Karen stated that the DPH revised Rules and Regulations contained a requirement that chronic violators provide written management plans but that the plans were to be self-certified by the hotel owner they were not required to post on the building at this time.

Karen Cohn asked if there were any questions.

Alex Tse asked about the reference to an attorney's fees provision in Article 11.

Karen Cohn stated administrative fines, civil fines, and cost recovery fees could be assessed against the non-complying party.

Rosemary Bosque asked Karen to describe the differences between the previous Rules and Regulations and the current revisions in the area of failure to comply.

Karen Cohn indicated that revised Rules included significant financial consequences if the responsible party fails to conduct the appropriate checks and balances. If the owner is compliant no fines would be assessed, if not, fines would be assessed.

Sam Patel asked if that applied to tenants and/or owners.

Karen Cohn responded that the owner would determine if the tenant is responsible for non-compliance. If so, the owner could use this as grounds for evictions.

Sam Patel asked if the tenant is not responsible would attorney's fees be collected from property owners.

Karen Cohn stated that DPH would not hold a property owner responsibly for that portion of the Rules and Regulation which is the tenant's responsibility. Karen indicated that such evidence could be presented at the DPH Directors' hearing prior to the assessment of any fees or fines. She further stated that the ability to document the failure of the tenant responsibility would be pivotal, noting that a tenant could be held responsible, but that in assessing fines, their financial status would be taken into account.

**Discussion of Section 1 of the Revised Rules and Regulations:**

Karen Cohn gave an overview of the Owner 1.1 through 1.10 General Responsibilities for Prevention, referring to the March 1, 2012 proposed revision which had been transmitted to SRO Taskforce members and guests. She then gave a similar overview for Tenant 1.1 and Tenant 1.2 General Responsibilities for Prevention.

Scott Walton asked if there was a DPH template for what was expected in the bed bug plan delineated in Section 1, Owner 1.2 .

Karen Cohn indicated that it was DPH's intent to provide templates in multiple languages.

Wolfgang Stuwe asked what the minimum requirements were regarding employee training required in Section 1, Owner 1.3.

Karen Cohn responded by indicating she would appreciate input from the attendees regarding the final criteria in that more research on this issue was needed.

Sam Patel asked how long it would take to prepare training guidelines and materials?

Karen Cohn said she would provide an outline in approximately one week. This would be generic in how to identify, the lifecycle, why inspections are needed, and type of treatments.

Sam Patel stated that the Rent Board has informational materials in different languages. He suggested that DPH translate in similar languages.

Karen Cohn stated that these were all good suggestions. She recapped DPH follow up to be the development of (1) a prevention plan template, (2) minimum qualifications/curriculum for training hotel employees, and (3) research on the additional language(s) the educational materials would be translated into.

**Discussion of Section 2 of the Revised Rules and Regulations:**

Karen Cohn summarized the mandated actions subsequent to a tenant report of bed bugs delineated in Section 2 requirements Tenant 2.1 through 2.2, Owner 2.1 through 2.7, and Pest Control Operator (PCO) 2.1 through 2.4. Karen indicated that these mandates contained all the best practices gathered from DPH experiences, community in-put and research received to date.

**Discussion of Section 3 of the Revised Rules and Regulations:**

Karen highlighted preparation for treatment requirements subsequent to confirmation of infestation defined in Section 3 Owner 3.1 through 3.6, PCO 3.1, and Tenant 3.1 through 3.3.

Karen Cohn indicated that he Owner 3.6 section refers to the difficult task of how to prevent tenants from throwing belongings out before they are treated. She stated that more creative in put would be needed to determine how this would be accomplished.

Sam Patel asked what would be the outcome if the tenant moves the items out.

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Scott Walton added that when timelines are known, tenants would be concerned and try to remove things quickly, possibly taking things to other rooms, etc., and owners may not be aware of this thereby affecting the success of the preparation phase. Scott indicated that the wording here would be difficult to define but be critical to the overall process.

Karen Cohn stated that this was specified in an earlier chapter. She indicated that clarification was needed that belongings be treated according to instruction labels. She commented that there may be a requirement to have a separate room to provide a place to put affected items.

Sam Patel asked if the hotel owners would be required to provide the room, placing an additional burden on hotel owners/operators.

Karen Cohn asked for input from tenant advocate groups on the issue of treating tenant belongings.

Rosemary Bosque stated retention of personal possessions, and disposal includes other agencies and that Taskforce recommendations should address this.

Karen Cohn agreed especially with bulky items, in that the Owner 3.3 & 3.6 sections would need to be expanded to include this larger context.

Sam Patel stated cold treatments need three separate applications.

### **Discussion of Section 4 of the Revised Rules and Regulations:**

Karen described the requirements of Section 4 and explained that Owner 4.2 states only a licensed person can do treatment. The PCO 4.1 section discusses the choice of treatment. If it is a chemical it has to be a registered pesticide, and it has to be recognized as effective, as referenced by the National Pest Management Association. The language used is according to EPA label instructions, requiring three treatments. Karen indicated that there are not many chemical treatments on the market that requires only one treatment, and it would be fraudulent for PCO to provide a one-time treatment for a pesticide that required more applications.

Scott Walton asked for clarification regarding the inspection of adjacent rooms and what becomes an affected area.

Karen Cohn responded that if the adjacent rooms are positive for bed bugs they become part of the affected area, and the owner must have them treated per the protocols.

Wolfgang Stuwe referred to Tenant 4.1 where water temperature in senior buildings is limited. What temperature is deemed not hot enough for laundering? Wolfgang indicated that the State regulates the water temperature.

Rosemary Bosque indicated that the Housing Code requires a water temperature between 105 to 120 degrees, and that the State regulation overall is 110 to 120 degrees, but San Francisco has adopted 105 degrees at the low end because Seniors may be scalded at higher temperatures.

Dr. Johnson Ojo stated the drying temperature was more critical to the treatment process.

Scott Walton stated instructions regarding the drying process should be made to be made very clear on a practical basis.

Dr. Ojo discussed the issue of dry cleaning, and double bagging items. Further questions were asked by Taskforce members regarding dry-cleaning versus laundering and drying items where cleaning labels may conflict.

Karen Cohn stated that the DPH intent would be to develop a handout pertaining to instructions associated with cleaning and bagging items.

**Discussion of Sections 5, 6, & 7 of the Revised Rules and Regulations:**

Karen summarized these requirements.

Sam Patel stated that the Rules and Regulations have language providing the hotel owner/operator with the ability to inspect items brought into the hotel to ensure they are not infected such as furniture, etc. He indicated without this as an obligation tenants resist this.

Karen suggested more discussion would be needed on this item.

Josh Vining stated there tenants have less of a desire to pass things on to others, and more of a desire to get belongings out and thrown away. He suggested that the focus should on how personal belongings are removed/discarded, and what the standards would be.

Karen Cohn delineated a possible area plan that would comprise a) a defined several block hot spot area with specific and dedicated dumpster available for a period of time, b) a six-week period to monitor treatment, and provide written notice of status, c) repeating and tracking the cycle as necessary .

Karen reminded everyone of the upcoming DPH hearing on March 22, 2012.

Rosemary Bosque thanked Karen Cohn for her presentation.

**Public Comment on Agenda Item #5**

Dannette Lambert recommended that hotel owners/operators utilize the SRO Collaboratives to assist in this process.

Charles Pitts stated there was no mention of the hoarder and cluttering. He recommended that Department of Aging and Adult Protective Services (APS) be added as agencies that could assist with issues related to room preparation, and treatment.

Agenda Items # 6 & #7 were continue to future meetings.

**8. General Public Comment**

Charles Pitts felt the note he passed out at the last meeting is what he felt, and he didn't want to say anything about it. It was not wise for him to speaking about pending litigation.

**9. Adjournment**

The meeting adjourned at 10:28AM.