



# San Francisco SRO Task Force

1660 Mission Street, 6<sup>th</sup> Floor  
San Francisco, CA 94102  
(415)558-6220

## Members:

Rosemary Bosque, J.D.  
Department of Building Inspection

Jeff Buckley  
Central City SRO Collaborative

Bruce Burge  
SRO Operator

Angela Chu  
Chinatown SRO Collaborative

Vacant  
Tenant Representative

Seth Katzman  
Nonprofit SRO Owner/Manager

Joyce Lam  
Families in SROs Collaborative

Victor Nelson  
Tenant Representative

Johnson Ojo  
DPH Environmental Health Services

Sam Patel  
SRO Operator

Jorge Portillo  
Mission SRO Collaborative

Charles Siron  
Tenant Representative

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

Scott Walton  
Human Services Agency

Eric Whitney  
DPH Housing & Urban Health

Chair:

## SRO HOTEL HEALTH & SAFETY TASK FORCE COMMITTEE

**MINUTES – August 18, 2011**

**170 Otis Street, Born Auditorium**

**Chair:** Rosemary Bosque

**Members Present:** Jeff Buckley (Central City SRO Collaborative); Bruce Burge (SRO Operator); Seth Katzman (Conard House); Johnson Ojo (DPH-BEHS); Sam Patel (Independent Hotel Owners & Operators); Jorge Portillo (Mission SRO Collaborative); Charles Siron (HIV Health Svs); Scott Walton (HSA-Housing & Homeless Programs); Eric Whitney (DPH); Victor Nelson (Tenant Representative)

**Absent:** Unexcused-None; Excused-Angela Chu (Chinatown SRO Collaborative); Alex Tse (City Attorney's Office)

**Guests:** Joyce Lam (SRO Families United Collaboratives); Tomas Picarello (SRO Tenant); Mario Oblena (DPH); Alma Rose Snyder (Small Business Owner)

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

### 1. Call to Order

The meeting was called to order by Rosemary Bosque at 9:15AM.

### 2. Roll call/Determination of Quorum

Roll call was taken and there was a quorum.

### 3. Approval of Minutes of May 19, 2011 (Action)

Rosemary Bosque thanked Scott Walton for securing the HSA meeting room. Although the size and location is sufficient members and guests were concerned about the noise from on-going construction on the neighboring building. An attempt to secure another room will be made for future meetings.

Johnson Ojo recommended edits be made to Item #4, DPH Response to Bed Bugs.

Tomas Picarello thought comments in the Minutes of May 19, 2011, were made in the April meeting. He stated that the May minutes do not reflect his comments made during the meeting regarding bed bugs. He feels this should be discussed by the Task Force and that better minutes be kept reflecting the Task Force and public statements.

### Public Comment:

**Action:** With the changes indicated the minutes were approved.

#### **4. Administrative Announcements (Discussion)**

**Approval of Minutes & Amendments to By-Laws:** Rosemary Bosque shared that she spoke to DBI's attorney with respect to Task Force members voting to approve minutes if they were not in attendance at that particular meeting. The City Attorney stated that members can vote provided they have read and reviewed the minutes being approved, however, no abstentions are allowed. Rosemary stated that there is something in the guidelines that deal with abstention.

Scott Walton commented there was discussion to explore changing the By-Laws to allow for abstentions but current By-Laws say it is not allowed. There is a ruling by the City Attorney that does allow vote based on being at the meeting and hearing discussions of the minutes to be approved.

Seth Katzman reminded the members that they volunteered to change the By-Laws not to have abstentions which fly in the face of Roberts Rule of Order. If the committee gets zealous and this is what happens he will not vote. How can one vote on something that they did not participate in? Unless each item is discussed in their presence how could one responsibly/ethically vote?

Rosemary Bosque indicated she would follow-up on Mr. Katzman's comments. She raised the issue of the meeting which had no quorum - what should be done with those minutes? She pointed out that the Committee meeting is not official without a quorum - are those minutes set up as comments?

Scott Walton commented regarding the action of approving minutes, it doesn't mean that based on what is read/heard from your co-Task Force members that they would be accepted as the minutes, what one is voting on is what becomes the record. The Committee does not need to explore when the city will allow the Task Force abstention. He referred to Tomas Picarello's comment that a quorum is reached with different members in attendance at each meeting. The Committee is not saying "for" or "against" but it has to learn how to best operate/explore the issue. He pointed out that both he and Tomas Picarello have been doing research on this.

**Future Meetings:** Rosemary Bosque stated she was hoping to have the Fire Department in attendance at the 9/10/2011 meeting to address community kitchen and egress issues but has not been able to talk to Christina about that group. It will be included in a future meeting. All minutes from this meeting and last meeting will be available at the 9/10/2011 meeting.

**Time & Location of Meetings:** Scott Walton informed the committee that HAS's Born Auditorium is booked for future Committee meetings through June with the exception of November and December. During those months there are meetings booked and this Committee will have to relocate. He asked others to look for alternative meeting locations, and that members pay attention to announcements of meeting locations.

**Online Access:** Rosemary Bosque stated she is working with DBI to have recent minutes and agendas available on their website. She is also working with DTIS for a link of City's website to go to agencies and for the Task Force to have its' own link. She is aware that People do not know how to access the DBI site to locate this Committee's website.

Scott Walton suggests the web address be included on minutes so people can find it easily.

**Public Comment:** Tomas Picarello commented that the DBI website is not very friendly and is difficult finding the SRO Task Force links. Work needs to be done so members and the public can find the minutes and agenda. He stated that posting them on the DBI website is of no help.

## **5. Challenges & Target Issues related to Bed Bug Infestation**

Rosemary Bosque acknowledged receiving their bullet points regarding recommendations to move forward. She commented that the Committee should begin with education and that the viewpoint of owners and tenants are important requirements. DPH has very good informational brochures and information and DBI has done a FAQ sheet but one of the biggest problems is to get people to read them in various languages. She encouraged discussion for content in upcoming meetings. She asked Sam Patel what is missing in the educational component that would be useful to property owners whom are not managers/operators/change of staff and if more training was necessary.

Sam Patel responded he did not believe anything is missing but suggested doing another conference for the owners. He has been pushing owners/members to read up on Johnson Ojo's books that have been passed out. He commented that inspectors are doing a really good job but also suggested they have material with them to hand out at their inspections. His goal for the Task Force is to come up with guidelines to educate owners and tenants with the procedures to follow along with pest control information. He feels that all should participate in development of a booklet regarding effective treatments – he knows that things are changing all the time.

Rosemary Bosque asked if having day and night staff is a factor of misinformation. She feels there are three aspects of education: 1) general information distributed where needed; 2) procedures; and 3) education of what the consequences are if procedure is not followed.

Sam Patel stated it is not a factor.

Scott Walton has heard about the issues and has gotten reports from other people and wonders if more seminars are needed. He feels the real energy is needed in what to provide people when they actually need in, and what are the responsibilities at the time they are faced with it? They understand treatments are needed but they don't understand the process involved, and tenants don't understand what they're responsibility is. He feels the most impact is in making sure all players are informed by providing guidelines to help people reduce their risk. Owners and pest control are aware of the issues and we should get the information into their hands.

Victor Nelson suggested video education. He feels tenants respond well to watching a video. Something like that would be more interactive than reading material.

Bruce Burge stated it is their practice to use Appendix A as a handout when a complaint is filed, especially with notice of treatment, which is a 24-hour entry. Another big issue he sees is misinformation. They have tenants who demand new mattresses and if required they will have to replace them. The information coming from the Collaborative is that management must provide new mattresses and this has to stop. The missing tenant information is that they need to take all their things out and launder them. He doesn't see why we keep beating this dead horse.

Rosemary Bosque asked if are there a significant amount of operators using this appendix and how effective they are.

Bruce Burge verified that they are using them.

Jeff Buckley commented there should be multiple access points for information. In New York they have bed bug information on local/regional/national/international best practices, and in general most municipal departments have it in their interest to provide non-limited information. He also feels disclosures of rights/responsibilities of tenants/operators/pest control as well as other environmental issues should be provided, such as what do they do if there is a bed bug infestation? Managers should disclose information to reinforce tenant responsibility. Pest control operators are another aspect that needs messaging and reinforcement. He agreed with Bruce Burge about misinformation occurring and all parties need to be responsible to have correct information.

Johnson Ojo discussed their most recent educational development in the form a log sheet to enable operators/managers to document reported incidences of bed bugs on the premises when it reaches timeline for abatement. In addition to the log they have developed a sticker for each property manager to affix to bed bug contaminated items that are going to be discarded on the sidewalk showing/stating people should not pick these items up. He is going to be working with DPW to ensure items left on street will be picked up quickly and give provide guidelines to follow. He reminded the Committee that DPH's materials are available in three languages - Cantonese, English & Spanish. DPH has hired a technician that will go to each hotel passing out information on the bed bug abatement process and enforce requirements that each hotel must have bedbug abatement protocol. While he feels it will be difficult to police, there are discussions with DPW of issuing citations if contaminated items are not dumped correctly. He feels the issue of misinformation is critical because it will impact the effectiveness of the program. He stated that a specific type of treatment cannot be prescribed for any operator b/c all the best practices out there are not 100% proven, 80% at best. He feels an integrated pest control approach towards the problem must be applied because items require more than just being sprayed. He raised the issue of who is responsible for making tenants cooperate. There are complexities of not knowing who brought bed bugs into the room - do we disclose the room has had bed bugs in the past? DPH is going to start charging people fees for non-compliance. The law states anyone responsible for violation will be charged - tenants will be charged \$1,000 a day. There is the issue of how will those fees be collected. He feels that if a landlord is working steadfastly to make their rooms bed bug free and the tenant is not cooperating it is not appropriate to levy fines upon them. He stated that San Francisco is proactive and that if we are not ranked in the top 15 cities of bed bug infestation that something is being done right. He attributes that in part to working with Board of Supervisors.

Rosemary Bosque stressed reviewing recommendations. For discussion, whenever NOV regarding bedbugs, attach \_\_\_\_\_.... She mentioned that Victor Nelson talked about videos and brown bag lunches were suggested as an avenue of dissemination of information. She asked the Committee to think about making it a requirement that a hotel operator have a packet of materials available to employees at the counter for enforcement agencies to review and to have the employees initial the packet stating they have read the materials. She wants to get to tangibles with respect to information and what are specific things from a regulatory standpoint and content.

Seth Katzman asked Johnson Ojo about the difficulty of who takes responsibility for bed bugs yet DPH will cite and fine tenants for something they may or may not have brought in – it does not sound fair or legal. He added that at DHS, and possibly other agencies, the major responsibility falls on landlords and the Committee. He also said the exemplary program to control bed bugs in place has gone down over the years. If tenants are fined it would be the equivalent of evicting them. DHS works closely with our PCO and it seems to be working. If landlords are not successful in bed bug eradication may be they can look deeper.

Johnson Ojo stated that he does not want to be misquoted on the issue of citing tenants. It is something that was written in Legislation that was passed. DPH has been challenged for not enforcing code. If a landlord says that a room was occupied bed bug free and later the tenant has bed bugs, how will DPH view that?

Jeff Buckley commented that Seth Katzman has a major point. If there are issues enforcing the ordinance John Avalos should be made aware to strengthen the ordinance. He admitted being critical of DPH Environmental Health and the stickers will be very helpful in terms of being a deterrent for people who go through trash for items. In asking for voluntary compliance there are those who may not comply, it has to be enforced and it has to come from DPH, possibly different resources. He feels that more environmental health inspectors are needed or current inspectors need to be redeployed based on necessity. He commented that citing figures is not an accurate reflection of the problem that exists. He thought that working with DPW with procedure to remove mattresses and the new stickers are a good idea.

Johnson Ojo stated that this is Mandatory.

Joyce Lam commented that a lot of times she works with families who work all day and it is impossible to give up 5 hours to accommodate landlords/pest control. She suggested more flexibility, e.g., after hours, weekends, so tenants can comply. A lot of times it seems tenants are not cooperating but it is because they cannot due to time constraints and/or work schedules.

Eric Whitney referred back to educational/recommendations. His understanding of the purpose of the Task Force was to look at what is gathered and development of inventory resources, which cannot be recommended without due diligence. Efforts that are being done currently can identify where the missing pieces and loop holes are. He feels enforcement can only go so far without the cooperation of all involved. There is a need to know who's doing what and have an idea of how to guide people if they have a problem. He doesn't know who that is or what to do and he is a building/condo owner himself. He doesn't know what to do if his neighbor has an infestation and feels the Committee can do better.

Rosemary Bosque pointed out that the meeting was running short on time. She asked for three people to put together a bibliography of resources and anything that needs to be included in those resources. She asked Johnson Ojo, Eric Whitney and Charles Siron if they had resource material, to send them to her or Bernedette Perez, and bring them to the next meeting so they can be included. She also asked that they include their feedback about the material they are including.

Jeff Buckley stated much of the work has been done by other municipalities and this Committee can expand on that via researching national models and what others municipalities are doing.

Scott Walton commented that it is useful to put information packets together and have it available when tenants move in. He felt that the Committee has to continue to be careful because different perspectives are being discussed. He commented on DPH's discussions on citing/fining and feels that the Committee work toward a common language. He stated that when recommendations are made he would like to have them sent to all Members to see what works and what doesn't from each of our perspectives. Doing this would define what the Committee wants to accomplish. He also recommended providing information not only at time of violation but also at time the lease is signed along with the educational material so all parties are informed.

Rosemary Bosque asked if that something HAS can consider?

Scott Walton responded that they expect these to be included in leases. It would be something HAS could legislate into their "contracts," for lack of a better word. He stated inclusion in the contracts can be recommended to the Board of Supervisors.

Sam Patel stated that although a lot of hotels have leases there are an equal amount that do not and that will have to be taken into consideration.

Scott Walton pointed out that the Committee sends out recommendations but they would not reach those who do not have leases. This is why the Committee has to raise the issue and have sensible discussions.

Rosemary Bosque commented that while this is all useful discussion the Committee is dealing with very complex subject matter and getting into the tangibles is what's needed. She asked that the Committee move to public comment due the time constraint.

Alma Rose Snyder referenced procedure and pointed out there is a fatal flaw apart from the 48 hour action, the inspection and treatment process. Inspectors may be inspecting 5-10 units in a day and perhaps they may be spreading the bugs during those inspections. There is too much focus on rooms and pest operators, which leads her to the need for tenant to be empowered. Education should be stressed and she pointed out that Facebook is a good way to reach internet people. As a long term strategy she suggested that DBI use available harmless spider species as a natural defense. There is a certain species of spider from Ukraine that cannot survive outside of a building, which can be used for long-term strategy.

Tomas Picarello commented he was glad to hear San Francisco is doing better than Mississippi and Indiana as far as bed bugs but it is past due time to make recommendations. He's heard the same discussion and seen pointing fingers in all directions. He felt that both parties are responsible, tenants/owners, and tenants should be held accountable. Hotel operators do not follow protocols in eradicating bed bugs. If there is due process and the tenant is found responsible, cite them. He liked the idea of videos regarding the bed bug problem. He feels the Committee has to give the Board of Supervisors something to give the Committee credibility. He suggested the Chairperson of this Task Force draft recommendations involving numbers with a solution to the problem we all know exists.

Rosemary Bosque tabled the remaining agenda items due to lack of time. She announced the next meeting will be in the same location and if anyone cannot attend the meeting let her know because a quorum will be needed to proceed. She stated that she will come up with recommendations and will distribute them to all Members based on this discussion so the Committee can move forward.

- 6. Reports from SRO Collaborativees: N/A**
- 7. Prioritization of Future Meeting Topics: N/A**
- 8. General Public Comment: N/A**
- 9. Adjournment**

The meeting adjourned at 10:30 AM.