

SF ANTI-DISPLACEMENT COALITION KNOW YOUR RIGHTS GUIDE

BUYOUTS

WHAT IS A BUYOUT?

A buyout is an offer of money in exchange for the tenant vacating the premises. Often landlords offer buyouts when they have no grounds for a legal eviction, or to get around the constraints of the legal eviction process, including potential restrictions on what happens to the unit after the tenants are out.

SHOULD I ACCEPT A BUYOUT OFFER?

Buyouts are almost never a good deal for tenants, especially with the cost of living in San Francisco at all-time high. See the back for an example to see how quickly buyout money can disappear in today's housing market. Many tenants who have taken buyouts would have preferred to stay in their apartments but were pressured through intimidation, harassment, or threat of eviction. Buyouts are now regulated by the City and a tenant has 45 days to change their mind and rescind a buyout agreement.

SOME THINGS TO CONSIDER WHEN OFFERED A BUYOUT:

- How much is rent on a new lease in your neighborhood?
- How much time did you plan to stay in your unit or your neighborhood?
- Will you be able to find another place here in San Francisco?
- There is a reason your landlord wants you to take a buyout. Is your apartment worth more to you than the money?

INFORMATION ABOUT THE LAW REGULATING BUYOUTS

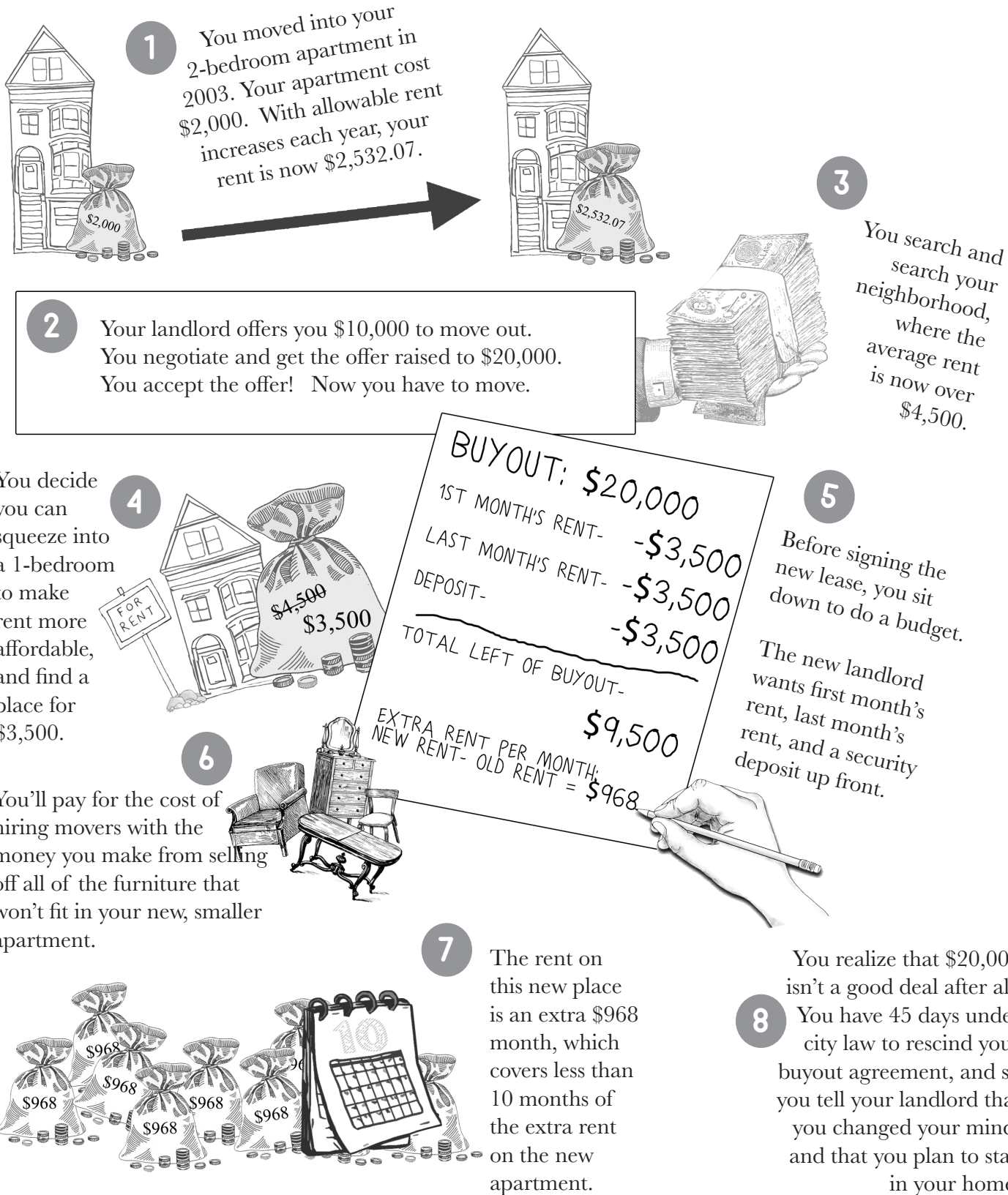
- A landlord must register a buyout offer with the Rent Board via a “pre-buyout negotiations disclosure form” and also give the tenant a second form that includes a list of tenants’ rights groups, before negotiations can begin.
- A tenant does not have to agree to enter into a buyout negotiation, but if they do, they may consult a lawyer and back out of the agreement within 45 days of signing it. Also a buyout agreement can be signed no sooner than 30 days after the tenant was given notice of their rights and buyout discussions began. The final agreement must be filed with the Rent Board within 46-59 days.
- Any violation of this law can be enforced via civil action in state court. A landlord’s ability to condo convert may be affected by buyouts if a senior, disabled or catastrophically ill person is given a buyout, or if two or more tenants got buyouts up to ten years before the condo conversion is approved.

TALK TO A TENANTS RIGHTS COUNSELOR IMMEDIATELY IF YOU HAVE BEEN OFFERED A BUYOUT

Don't sign anything before talking to a counselor! Visit www.SFADC.org for a list of tenants rights groups in San Francisco.

BUYOUTS ARE RARELY A GOOD DEAL FOR TENANTS.

Let's look at an example to see how quickly buyout money can disappear:



THE SAN FRANCISCO ANTI DISPLACEMENT COALITION IS A GROUP OF TENANT ORGANIZATIONS AND ALLIES WHO ORGANIZE AGAINST THE SOARING EVICTIONS AND RENT INCREASES IN OUR CITY, WHICH HAVE RESULTED IN THE DISPLACEMENT OF THOUSANDS OF SAN FRANCISCANS. FIND US AT WWW.SFADC.ORG

INFORMATION PROVIDED BY THE SAN FRANCISCO TENANTS UNION AND THE HOUSING RIGHTS COMMITTEE