

# Hotel managers play game

## how that tenants can't win

There is a game that is played at many residential hotels. It is called "musical rooms." The residents who are forced to play always lose, while the hotel owners and managers always win.

"They're crooks," Roxanne Trade, organizational manager for the Tenderloin-based workers' rights group People Organized to Win Employment Rights (POWER), said of the managers, who kick residents out after 28 days, keeping them out for at least a day before letting them back in.

Housing Rights Committee Executive Director Rebecca Logue-Bovee said "about 99%" of the Tenderloin residential hotels – except for the non-profits – play the "musical rooms" game. "It's a real problem," Logue-Bovee said. "You see it happening everywhere."

Matt Brown, of St. Peter's Housing Committee, said 50% to 75% of the Mission District hotels "do some kind of tenancy-code violation," and he estimated that same percentage probably holds true in the Tenderloin.

"It's a pervasive practice," Brown said.

### City attorney sues hotels

Managers kick tenants out after 28 days, housing activists say, so they can deny tenants residency rights they get after living 32 days at the same address.

To stop this practice, City Attorney Louise Renne sued the Drake Hotel and the Hotel West, both on Eddy Street, in April for evicting tenants after 28 days.

Four weeks later, the two

hotels agreed to stop playing musical rooms, according to the Examiner.

"We've gotten more than one complaint on these hotels, and we're following up on them," said Neli Palma of the city attorney's office. "We feel we have made a substantial amount of progress."

The city attorney's office has filed lawsuits against five SROs since December for depriving tenants of their rights to residency. The suits allege that the hotels have violated Civil Code 1940.1, which says that the manager of a residential hotel can't kick out an occupant before 32 days for the sole purpose of denying his or her residency rights.

The city attorney's office also alleges that these hotels violated San Francisco's hotel-conversion ordinance, which requires residential hotels to report annually on occupancy, certifying as to how many rooms for residents and how many for transients.

The city is seeking civil damages, which can cost each hotel up to \$2,500 per violation under the city's Business and Unfair Competition ordinance, as well as forcing the hotels to stop the practice, Palma said.

Many hotels don't even have a monthly rate, charging only by the week. The Edgeworth Hotel charges \$120 per

week, Hotel West \$135. Hotel Kinney asks \$240 weekly, while the Fairfax wants \$45 a day.

### Managers mum

The managers of the Sweden House Hotel, Hotel Fairfax and the Edgeworth, all of which play "musical rooms," according to housing-rights advocates, were unavailable for comment. The manager of the Hotel Kin-

ney, also accused of playing "musical rooms," denied that he evicts tenants prematurely. The practice is "extremely" common in the Mission, said Nick Pagoulatos of Mission-based St. Peter's Housing Committee.

It's been going on for 20 years, and it's becoming more commonplace in these neighborhoods as people are squeezed in a tight rental market, according to Tenderloin Housing Clinic Director Randy Shaw.

"The demand for housing far exceeds the supply, so [the managers] can get away with it," Shaw said.

**A resident's rights**  
Tenants who stay in a hotel for 32 days are protected under

the city rent-stabilization ordinance, which limits how much hotels can increase rent charges annually, depending on the inflation rate. This year, hikes can't exceed 2 percent, said Chris Mohr of Tenderloin Neighborhood Development Corp.

After 32 days, managers must have a "legally recognized" reason to evict a tenant. "[The managers] can't just say, 'We don't want you here anymore,'" Mohr said.

Matt Hammond has lived in San Francisco for six years, mostly in hotels that play "musical rooms," including the Sweden House Hotel on O'Farrell Street. When he was kicked out of the hotel after 28 days, Hammond said, he went to the Hotel Verona on Leavenworth for two days, then returned to the Sweden House.

"They told me, 'You can't be a resident. You don't qualify,'" Hammond said, adding that he would take the hotel to court, but can't afford an attorney.

However, Shaw said that the Tenderloin Housing Clinic will handle a complaint if the person has a good case. But "there aren't as many good cases as you think."

The managers apparently don't take the time to explain the rules of the game to the tenants. Trade told of some

tenants who came into her office on Hyde Street after they had been evicted from a hotel after 28 days, and asked why they were kicked out.

Tenants who can't establish residency don't have a permanent address, can't put a phone in their rooms and can't accumulate many belongings, including a wardrobe suitable for job interviews. Short-term tenants are limited to what they can carry, according to THC Housing Coordinator Debbie Raucher.

"[Tenants] can't get a job because of the instability," Trade said. "[Managers are] playing Russian roulette with these rooms. The residents' rights are not being enforced in this city right now. This has been going on for years."

### Is it a conspiracy?

It is a practice so ingrained that Mike Nulty, who lives in a Tenderloin SRO, believes the game persists because "somebody wants it that way. Somebody must be getting something out of it, or it would have changed by now," said Nulty, a grassroots organizer who is on the board of NOMPC and is president of the Alliance for a Better District 6.

One resident of Hotel West, which is being sued by the city, defended the hotel. He conceded that such evictions occur there, but it's not always the hotel's fault. He gets a General Assistance check twice a month and sometimes it's not enough to pay the rent, so he has to leave the hotel until he can.

It's also easier for managers to evict tenants who have not

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## RESIDENCY ROULETTE

by Jeremy Harness

## 70% of hotels charge extra for visitors

Some residential hotel owners and managers seem to work every angle to squeeze the tenants: Many even charge for visitors.

Not all do, but throughout the neighborhood are hotels that charge from \$5 to \$20 when someone calls on a tenant, sometimes for a brief visit but especially for an overnight stay.

Rebecca Graff of the Housing Rights Committee estimated that all of the privately owned hotels that aren't owned by nonprofit organizations, approximately 70 percent of the residential hotels in the Tenderloin, charge extra for visitors.

Tenderloin Housing Committee Director Randy Shaw said a "vast majority" of the hotels charge visitors an extra "overnight fee."

John Ludwig, who runs the Shawmut Hotel on O'Farrell Street, charges hotel visitors \$20, calling the fee a longtime "house rule" of the hotel.

Mindy Cain lives at the Hurley

Hotel on Leavenworth Street, and she said visitors there are charged \$10 no matter what time it is. "Even if my kids come" (they would still charge them for visiting), Cain said.

## 'SEEMS LIKE A RIPOFF'

by Jeremy Harness

The hotel managers who charge for visitors give different reasons for the fee. Some call it a way to keep out drug dealers, others say it's always been that way.

When he was asked about the reason behind the charge, the Hurley Hotel manager became angry and demanded, "Do you see the sign!?"

NO SOLICITING!"

The manager of Hotel Western on Leavenworth, which charges visitors \$5, became nervous when asked about the fee, but said it was to keep the drug dealers out of the hotel.

"It seems like a ripoff," said Willie Garner, head of security for the Hamilton Condominiums on O'Farrell Street. "On top of that, you can't even get a receipt." Since they don't issue a receipt, there's no record of the charge, so the hotel managers don't have to pay taxes on the money, according to Garner.

"(The managers) are just trying to make a buck as quick as they can," he said.

Tenderloin Task Force Officer George Fogarty said this practice has been going on in residential hotels South of Market and in the Mission for about 20 years.

"It's just the way the hotel's set up," said Fogarty, who added that there wasn't any law against the extra charge. "People complain once in a while."



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