



Open Letter To San Francisco: Consumer Watchdog Opposes Proposition F On Privacy Grounds

A number of San Franciscans have inquired about Consumer Watchdog's position on Proposition F, which San Francisco voters will consider at the polls this November. We oppose the measure because it raises serious privacy concerns.

While on its surface the proposition seeks to regulate short-term rentals, it also includes a dangerous provision that would force San Franciscans to reveal deeply personal information – including how many days a year they occupy their own homes – to the government.

As the proponents were drafting Prop F earlier this year, Consumer Watchdog asked them to remove the provisions that violate individuals' privacy. (Read that letter at <http://www.consumerwatchdog.org/resources/ltrsfinit5-1-15.pdf>) The proponents refused to amend the measure, so Consumer Watchdog must oppose Prop F.

Prop F explicitly states that it will require the submittal of “quarterly reports to the Department setting forth the number of days per calendar year he or she has occupied the Residential Unit, and the number of days per quarter, with dates and duration of each stay, the Residential Unit has been rented for Short-Term Residential Use.” Prop F will violate San Franciscans' privacy and make San Francisco the only government in the world tracking how frequently people occupy their own home.

San Francisco's laws already require home sharing platforms to provide data for the purpose of tax collection. Prop F goes much further by requiring individuals to submit quarterly reports documenting which dates they rented their home and how many days they occupied their residence.

San Francisco's city government will then track this information and could use it against the short-term rental host in future enforcement actions. Prop F will compromise the individual's privacy in the most personal manner and then allow the city to monitor that information and use it against them in court.

This represents a basic violation of San Franciscans' civil rights and compromises the privacy protections guaranteed to all Californians under Article I Section I of the California constitution.

The legitimacy of sweeping government demands for consumers' personal data is one of the central privacy questions of our time. Requiring citizens to give up their right to privacy so enforcement officials can scour through records and search for potential violations of local laws amounts to a blank search warrant.

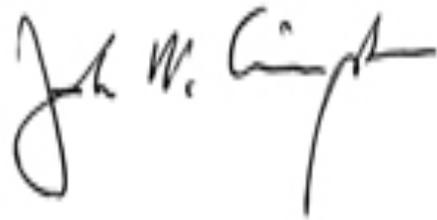
The type of information that would be exposed is of the utmost concern. A government request for personally identifiable data must carefully balance the right to privacy against the right to

safety and security for the public. Judges typically need to issue warrants for such information because it is considered each citizen's right to protect it. Throwing open the door to mass data collection of the most personal of information – with no legal justification like a warrant – would deal a serious blow to privacy rights in San Francisco.

It is our firm belief that the appropriate regulation of short-term rentals does not require massive invasion of San Francisco residents' privacy rights. Prop F oversteps what is necessary and, in the process, steps on a right that is so vital to our lives that it is included in California's state constitution.

A handwritten signature in black ink, appearing to read "Jamie Court". The signature is fluid and cursive, with the first name "Jamie" written in a larger, more prominent script than the last name "Court".

Jamie Court
President

A handwritten signature in black ink, appearing to read "John M. Simpson". The signature is cursive and somewhat stylized, with the first name "John" and middle initial "M." clearly visible, followed by the last name "Simpson".

John M. Simpson
Privacy Policy Director