



## INSTRUCTIONS:

### Six-Step Process for Legalizing Unpermitted Dwelling Units (UDUs)

#### 1. Pre Application (DCP, HCIDLA and LADBS)

Before initiating an application, applicants are advised to read the UDU FAQ, the adopted UDU Ordinance, and review the eligibility requirements below:

- A. Ensure eligibility for the program by gathering documentation to show the unit was built or occupied as a residential unit between December 11, 2010 and December 10, 2015. This may include an old apartment lease, utility bill, Rent Stabilization Ordinance (RSO) Rent Registration Certificate, code enforcement case documentation (e.g., Orders to Comply), or other evidence showing the unit was used for residential purposes during that time. DCP staff is available to review the evidence to ensure it will be sufficient.
- B. Understand the rent and income level requirements for the affordable housing unit(s) required by the program.
  - a. Establish which affordability level will be required (low or moderate income) by locating your property on the [interactive map](#) showing Community Reinvestment Act eligibility.
    - i. A Low Income unit will be required if the property is located in a Low or Moderate Income census tract.
    - ii. A Moderate Income will be permitted if the property is located in a census tract labeled not eligible on the map.
  - b. Visit [HCIDLA's web site](#) to find the corresponding rent and income limits for the affordability level and number of bedrooms in the affordable housing unit(s) by reviewing the Rent and Income Schedule (Schedule 8).
- C. If you are unsure whether an existing tenant meets the maximum income level based on family size to qualify for continued tenancy in the restricted affordable unit(s), please contact HCIDLA at [hcidla.landuse@lacity.org](mailto:hcidla.landuse@lacity.org).
- D. Verify that the property does not have any other outstanding code violations. These violations must be resolved prior to becoming eligible for UDU legalization.
- E. DCP Housing Unit will review the **Eligibility Criteria** to ensure the unit(s) to be legalized was built or occupied as a residential unit between December 11, 2010 and December 10, 2015.

## 2. Plan Check (LADBS)

- A. Applicants must determine what zoning and building code corrections are required for UDU legalization. This will occur by submitting the necessary building plans and permit applications to enter the Plan Check process with the Department of Building and Safety (LADBS). LADBS staff will review plans and identify any building code corrections and zoning relief that are necessary.
- B. LADBS will document any building code corrections and required zoning relief on the UDU Inter-Agency Referral Form, including parking, density, and any other required modifications of zoning code requirements.
- C. LADBS will add DCP and HCIDLA staff to the Clearance Summary Worksheet (CSW) for all UDU projects.

## 3. Planning Clearance (DCP Housing Unit)

Applicants provide the UDU Inter-Agency Referral Form to DCP's Housing Services unit at the Development Services Center. DCP will review **Zoning Compliance** to ensure the necessary zoning relief can be accommodated through the UDU Ordinance and to determine the corresponding number of Restricted Affordable Units that will be required.

## 4. Covenant and Affordable Housing Clearance (HCIDLA)

- A. Covenant Preparation. The project owner or owner's representative must provide the following documents and the covenant processing fee of \$5,813 to the HCIDLA Planning and Land Use Unit for a covenant to be prepared:
  - a. [Land Use Covenant Application](#) - available on HCIDLA's website
  - b. Application for Building Permit - from LADBS
  - c. Clearance Summary Worksheet (CSW) - from LADBS
  - d. UDU Public Benefit form - from DCP
  - e. UDU Inter-Agency Referral Form - from DCP
  - f. Building plans showing the building/unit layout and square footage and bedroom count of each unit
  - g. Grant Deed (recorded copy)
  - h. Subordination Agreement
- B. HCIDLA will provide applicants with an affordable housing clearance once the covenant has been recorded.

- C. HCIDLA Occupancy Monitoring will conduct an income certification (tenant approval) after the covenant is executed.
- D. For any questions about the affordable housing clearance process, please contact: [hcidla.landuse@lacity.org](mailto:hcidla.landuse@lacity.org)

#### 5. **Planning Clearance (DCP Public Counters)**

Applicants provide completed UDU Public Benefit and UDU Inter-Agency Referral Forms, as well as plans and photographs, to staff at the Development Services Center. DCP will review the required **Performance Standards**, and sign-off the CSW when performance standards are met and zoning relief is determined to comply with the ordinance. If compliance with the Performance Standards is not met, the applicant may apply for approval of alternative compliance measures.

#### 6. **Final Building Permit (DBS)**

- A. LADBS will review revised plans, the completed Inter-Agency Referral Form, and the CSW before issuing the final building permit.
- B. LADBS will schedule an inspection(s) to verify compliance prior to issuance of a Certificate of Occupancy.
- C. LADBS will create a new Certificate of Occupancy for the property, reflecting the change in the number of permitted units.