

Updated Guidance on the Implementation of the Housing Crisis Act



January 16, 2023

Summary

The City of Los Angeles has updated its guidance on the implementation of the Housing Crisis Act of 2019 (HCA) in response to the passage of Senate Bill 8 (2021). To reflect these changes, the City has released new and revised HCA tools and resources to simplify and streamline project review.

Revised General Procedures

To Implement the Housing Crisis Act and Title 7 of the Government Code, as amended by Senate Bill (SB) 8 (2021), the following development review criteria applies to Housing Development Projects:

Housing Replacement and Occupant Protections — clarified instructions

A Housing Development Project must obtain a SB 8 Replacement Unit Determination (RUD) letter from the Los Angeles Housing Department (LAHD) as part of a complete application to City Planning or receiving clearance from LAHD in the LADBS permitting process for a project that does not require an application to City Planning. Alternatively, if the project qualifies, it may obtain and complete the revised No Net Loss Declaration form in lieu of the SB 8 RUD. The revised No Net Loss Declaration form has expanded the types of developments that qualify.

Optional Vesting — clarified instructions

Housing Development Projects may lock-in City ordinances, policies, and standards in effect when a complete HCA Vesting Preliminary Application is submitted. These vesting rights do not apply to changes in State Law or to changes in building code.

To initiate HCA vesting rights, applicants must submit a complete application and pay the fee before filing a City Planning application or submitting a building permit Plan Check application. To initiate a request, submit the HCA Vesting Preliminary Application form and the required materials through City Planning's [Online Application Portal](#).

Additional information on time limits and limitations on project scope changes in order to retain vesting rights can be found on the revised HCA Vesting Preliminary Application form.

Preliminary Zoning Assessment (PZA) — revised procedure and clarified instructions

Effective on January 2023, a PZA request can be submitted directly to the Department of Building & Safety (LADBS) for completion. The streamlined PZA process will primarily consist of an informational zoning Plan Check conducted by LADBS staff accompanied by a summary of zoning compliance on the revised PZA referral form.

A PZA is required for all projects creating two or more units as part of an application to City Planning for its development. The PZA does not apply to Housing Development Projects that do not involve an application to City Planning nor to a project consisting of only one unit.

New HCA Tools

Housing Development Project Applicability Matrix (Appendix 1). The Housing Development Project Applicability Matrix identifies whether the development type is a “Housing Development Project” for the purpose of implementing the HCA and when the PZA, RUD, No Net Loss, and optional vesting procedures apply.

HCA Replacement Review (ZIMAS). The "Housing Crisis Act Replacement Review" is a new field on [ZIMAS](#) under the "Housing" tab, which assist users as a first step to verify whether the project site is subject to the HCA Affordable Housing Replacement Requirements and Occupant Protections and requires further review.

▼ Housing	
Direct all Inquiries to	Los Angeles Housing Department
Telephone	(866) 557-7368
Website	https://housing.lacity.org
Rent Stabilization Ordinance (RSO)	No [APN:]
Ellis Act Property	No
AB 1482: Tenant Protection Act	No
Housing Crisis Act Replacement Review	Yes
Housing Element Sites	
HE Replacement Required	Yes
Housing Use within Prior 5 Years	No
SB 166 Units	Need Further Review

Background and Effective Dates

The Housing Crisis Act of 2019 (HCA) was enacted through Senate Bill (SB) 330 (2019), establishing a statewide temporary housing emergency, aiming to preserve existing affordable housing, enhance protections for occupants, and increase certainty in the development review process. The HCA has been in effect since January 1, 2020. Subsequently, on January 1, 2022, SB 8, the first major clarification of the HCA, went into effect. The HCA, as amended by SB 8, applies to the following projects through 2034 when submitted to the City before January 1, 2030:

1. Discretionary Housing Development Projects with a final approval on or after January 1, 2020.
2. On or after January 1, 2022, Ministerial Housing Development Projects with an application submitted to Los Angeles City Planning (City Planning) or for which the Los Angeles Department of Building and Safety (LADBS) accepts a complete building permit Plan Check application.
3. A Housing Development Project that submits a complete HCA Vesting Preliminary Application.

Contacts

Los Angeles Housing Department

For questions regarding unit replacement and occupant protections, contact LAHD-Landuse@lacity.org or visit the [Housing Department's website](#). If demolishing units subject to the RSO, visit LAHD's [Ellis Removal form Rental Market Information Page](#) for additional information about the RSO relocation process.

Los Angeles Department of Building & Safety

For questions regarding HCA administration for Housing Development Projects that are not associated with a City Planning application, contact the LADBS Plan Check engineer assigned to a project in Plan Check or to LADBS.AHS@lacity.org for projects not already in Plan Check.

Los Angeles City Planning

For information on the optional HCA Vesting Preliminary Application, Housing Development Project types, contact Planning.HCA@lacity.org.



Housing Development Project Applicability Matrix

PURPOSE: The matrix identifies whether the development type is a “Housing Development Project” for the purpose of implementing the Housing Crisis Act of 2019 (HCA) and certain related requirements and procedures. For project-specific questions, contact the applicable department.

GENERAL INFORMATION: A project identified as a Housing Development Project is subject to the HCA and does not require a project-specific Housing Development Project Determination prior to initiating a Preliminary Zoning Assessment (PZA), requesting a SB 8 Replacement Unit Determination (RUD), submitting an optional HCA Vesting Preliminary Application, or submitting a City Planning application or a building permit application.

	Development Type	Housing Development Project (HCA)	SB 8 RUD/ Clearance Required ¹	Qualifies for No Net Loss Declaration ¹	Qualifies for Optional Vesting	PZA for City Planning Applications
One Single Unit	One Single Unit or One ADU, JADU, or MTH	Yes	No	Yes	Yes	No
Multiple Single Units	ADU + ADU/JADU	Yes	No	Yes	Yes	Yes
	SFD + ADU/JADU	Yes	No	Yes	Yes	Yes
	Multiple Detached Units on the Same Lot	Yes	Yes	No	Yes	Yes
	Multiple Units on Abutting Lots Developed Together	Yes	Yes	No	Yes	Yes
Multi-family	Duplex(es)	Yes	Yes	No	Yes	Yes
	SB 9 Two Unit Development	Yes	No	Yes	Yes	Yes
	Apartment, Multi-Family	Yes	Yes	No	Yes	Yes
	Supportive Housing	Yes	Yes	No	Yes	Yes
	Single Room Occupancy Hotel	Yes	Yes	No	Yes	Yes
	Mixed-Use Development, 2+ Units	Yes	Yes	No	Yes	Yes
	Eldercare Facilities with Senior Independent Living units ²	Yes	Yes	No	Yes	Yes

¹ The HCA replacement provisions and occupant protections only apply to Housing Development Projects located outside a Very High Fire Hazard Severity Zone, as determined by the State Fire Marshal. However, A site located within a Very High Fire Hazard Severity Zone that is also identified on the City’s Housing Element sites inventory may still require replacement units as a condition of any development on the site. Go to the “Housing” tab on zimas.lacity.org for additional housing replacement information on specific sites.

² A state licensed community care facility or Eldercare Facility is a Housing Development Project unless it consists solely of institutional group quarters that do not meet the Census Bureau definition of a housing unit. Please note that some residential facilities for the elderly may be exempt from certain otherwise applicable HCA requirements including the application of local rent control (see California Health and Safety Code Section 1569.147).

	Development Type	Housing Development Project (HCA)	SB 8 RUD/ Clearance Required¹	Qualifies for No Net Loss Declaration¹	Qualifies for Optional Vesting	PZA for City Planning Applications
Residential Subdivisions	Residential Subdivision, No Plans	Yes	Yes	No	Yes	No
	Residential Subdivision, Plans	Yes	Yes	No	Yes	Yes
	SB 9 Urban Lot Split, No Plans	Yes	No	Yes	Yes	No
	SB 9 Urban Lot Split, Plans	Yes	No	Yes	Yes	Yes
	Small Lot Subdivision, New	Yes	Yes	No	Yes	Yes
	Condominiums, New, Permits Not Issued	Yes	Yes	No	Yes	Yes
	Condominiums, New, Permits Issued	Yes	Yes	No	Yes	No
	Small Lot Subdivision, Conversion	No	No	No	No	No
	Condominiums, Conversion	No	No	No	No	No
	Other	Transitional Housing	Yes	Yes	No	Yes
Licensed Residential Care Facility, New ²		Varies	Varies	Varies	Varies	Varies
Licensed Residential Care Facility, Conversion		No	No	No	No	No
Hotel/Motel/Hostel/ Other Similar Use		No	No	No	No	No
Eldercare Facilities with Licensing Exemptions ²		No	No	No	No	No

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