


CITY OF LOS ANGELES
DEPARTMENTAL CORRESPONDENCE

DATE: June 3, 2026

TO: All Staff
Interested Parties

FROM: Vincent P. Bertoni, AICP 
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Department of City Planning

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SUBJECT: REPLACEMENT OF HOUSING THAT HAS BEEN VACANT FOR MORE THAN FIVE YEARS UNDER THE HOUSING CRISIS ACT AND RESIDENT PROTECTIONS ORDINANCE

The Housing Crisis Act (HCA) (Government Code Sec. 66300 et. seq.) has been in effect since January 1, 2020. Locally, the City Council adopted the Resident Protections Ordinance (RPO) to codify the HCA and expand certain requirements. The RPO (Ord. #188481 and 188482) became effective on February 11, 2025 and authorizes the Director of Planning to prepare Implementation Memoranda for the requirements set forth in the HCA and RPO.

The HCA and the RPO state that any Housing Development Project that will require demolition of occupied or vacant Protected Units, or that is located on a site where Protected Units were demolished in the previous five years, shall replace those units.

On February 11, 2026, the City received a technical assistance letter from the California Department of Housing and Community Development (HCD). This correspondence addressed a specific project that raised a question concerning the replacement requirements for Protected Units¹. This project includes the conversion of three (3) dwelling units subject to the City's Rent Stabilization Ordinance (RSO), which had been completely vacant for longer than five (5) years prior to submission of an application for non-residential development. Because the units remained subject to the RSO, they were "Protected Units" for the purposes of the HCA.

Protected Units must be replaced per CA Government Code Section (GCS) § 65915(c)(3)(B) and (C). HCD clarified that the statutory definition of "replace" in 65915(c)(3)(B) specifies that replacement only applies to Protected Units that were (1) occupied on the date of application, or (2) vacated or demolished in the five years prior to the application. The following subparagraph (C) further specifies how Protected Units that have been subject to rent or price control are

¹ HCD Technical Assistance letter: <https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/HAU/los-angeles-hau-3093-la-021126.pdf>

replaced, but does not change the scope of the units required to be replaced. However, these projects may be subject to other requirements including that they do not result in fewer units pursuant to GCS § 66300.6.(a), 66300.6(b)(2)(A) and LAMC Ch. 1 16.60 A.5 or Ch. 1A 4C.15.1.C.2.

The Department of City Planning and Los Angeles Housing Department will implement the HCA and RPO consistent with the HCD guidance described above as follows: In relation to development projects where all of the dwelling units on a project have been completely vacant and unoccupied for more than five years, the replacement requirements in (GCS) § 65915(c)(3) do not apply.

For questions regarding this policy, please contact the Planning Department's Housing Policy team at planning.housingpolicy@lacity.org and/or LAHD's Land Use Section at lahd-landuse@lacity.org.