



## AFFORDABLE HOUSING INCENTIVE PROGRAM

### Ownership Documentation Checklist: 80-100% Affordable Housing

#### Purpose

This form is used to demonstrate ownership eligibility for Projects utilizing Senate Bill 4 (Cal. Gov. Code Sec. (CGS) 65913.16), and the Affordable Housing Incentive Program (Los Angeles Municipal Code (LAMC) Section 12.22 A.39 of Chapter 1 /Section 9.2.2 of Chapter 1A).

### THIS SECTION TO BE COMPLETED BY APPLICANT

The below information is submitted for a proposed development Project at the following

**Project Address(es):** \_\_\_\_\_

**and Project APN(s):** \_\_\_\_\_,

hereafter the "Property."

Additional ownership documentation may be required per City Planning Application form [CP 13-7771.1](#), or as determined by the reviewing City department. Property records and other documents (where specified) must be provided as **certified copies**.<sup>1</sup>

#### Senate Bill 4 Project (CGS 65913.16)

*A Senate Bill 4 Project is a project type described by California Government Code Section 65913.16 and is a housing development project proposed by an independent institution of higher education or a religious institution, that meets specified location, affordability, prevailing wage, and other requirements.*

#### Religious Institution:

**Name:** \_\_\_\_\_

**Employer Identification Number (EIN):** \_\_\_\_\_

#### Required Documents for a Religious Institution

- Proof of current Property ownership (Grant Deed including Exhibit A (legal description of property), must show date of acquisition prior to January 1, 2024 and be a certified copy).
- Current Preliminary Title Report for the Property.

<sup>1</sup> Certified copies of Grant Deeds and Preliminary Title Reports may be obtained from the Los Angeles County Registrar-Recorder/ County Clerk <https://www.lavote.gov/home/records/real-estate-records/real-estate-records-request/online-request>.

- Certified copy of current articles of incorporation of filing Religious Institution
- Signed and notarized Property Owner Declaration (see end of checklist).

**Independent Institution of Higher Education:**

**Name:** \_\_\_\_\_

**Employer Identification Number (EIN):** \_\_\_\_\_

*Required Documents for an Independent Institution of Higher Education*

- Proof of current Property ownership (Grant Deed including Exhibit A (legal description of property), must show date of acquisition prior to January 1, 2024 and be a certified copy).
- Current Preliminary Title Report for the Property.
- Documentation that the institution is accredited by an agency recognized by the United States Department of Education, such as those on the Association of Independent California Colleges and Universities (AICCU) [list](#).
- Signed and notarized Property Owner Declaration (see end of checklist).

**Qualified Developer:**

**Name:** \_\_\_\_\_

**Tax status:**

- Non-profit
- For-profit
- Public Entity

**Employer Identification Number (EIN):** \_\_\_\_\_

*Required Documents for a Qualified Developer*

*In addition to documentation for a Religious Institution or a Higher Education Institutions, consistent with CGS 65913.16 the following 'Qualified Developer' documentation is needed.*

- Signed agreement between filing institution and Qualified Developer pertaining to the Project's development application for the Property.
- Signed and notarized Property Owner Declaration (see end of checklist).

*Check ONE of the options below and provide associated documentation:*

- Local Public Entity.** A local public entity, as defined in Section 50079 of the California Health and Safety Code.

- Nonprofit Developer.** A developer that is a nonprofit corporation, a limited partnership in which a managing general partner is a nonprofit corporation, or a limited liability company in which a managing member is a nonprofit corporation, and the developer owns property or manages housing units located on property that is exempt from taxation pursuant to the welfare exemption established in subdivision (a) of Section 214 of the California Revenue and Taxation Code.
  - Current articles of incorporation for the nonprofit developer (a certified copy).
  - Proof of the nonprofit developer’s ownership or management of a property exempt from taxation (for example a certified copy of the deed, or an executed management contract).
  
- Developer Under Contract with a Nonprofit Corporation.** A developer that contracts with a nonprofit corporation that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families with financing in the form of zero interest rate loans.
  - Current articles of incorporation for the nonprofit corporation (a certified copy).
  - Proof of the nonprofit corporation’s ownership or management of a property exempt from taxation (for example a certified copy of the deed, or an executed management contract).
  - The contract between the developer and nonprofit corporation.
  
- Developer with Past Experience.** A developer that the religious institution or independent institution of education, as defined in this section, has previously contracted with to construct housing or other improvements to real property.
  - Contract showing proof of previous partnership between the developer and filing institution along with the address(es) previously developed under that partnership.

## Faith-Based Organization Project:

*A Faith-Based Organization Project is a project type of the Affordable Housing Incentive Program defined in LAMC Section 12.22 A.39(b) of Chapter 1 and Division 14 of Chapter 1A as: A [80-100% affordable] housing project located on land owned entirely, whether directly or through a wholly owned company or corporation, by a Religious Institution at the time of project filing, developed by or in partnership with a Qualified Developer. This includes ownership through an affiliated or associated nonprofit public benefit corporation organized pursuant to the Nonprofit Public Benefit Corporation Law at California Corporations Code, Title 1, Division 2, Part 2, Section 5110 et seq.*

### Owning Religious Institution:

**Name:** \_\_\_\_\_

**Employer Identification Number (EIN):** \_\_\_\_\_

- Proof of current Property ownership (Grant Deed including Exhibit A (legal description of property), must show date of acquisition and be a certified copy).
- Current Preliminary Title Report for the Property.
- Current articles of incorporation of filing organization (a certified copy).
- Signed and notarized Property Owner Declaration (see end of checklist).
- Single Family Acquisition.** If filing on a site zoned for single family (RW and more restrictive under LAMC Chapter 1 or any lot with a Density District of 1L under Chapter 1A) acquired after January 1, 2024, the site must be within 528 feet of an active community assembly use (previously known as a “church or “house of worship” use under Chapter 1) owned and operated by the same filing institution.
  - Address of active community assembly use or “church/house of worship” use:  
\_\_\_\_\_
  - Proof of current ownership of the active community assembly use site (Grant Deed including Exhibit A, must show date of acquisition and be a certified copy).

**Qualified Developer:**

*LAMC Section 12.22 A.39(b) of Chapter 1 and Division 14 of Chapter 1A requires that a Faith-Based Organization Project be built in partnership with a ‘Qualified Developer.’*

**Name:** \_\_\_\_\_

**Tax status:**

- Non-profit
- For-profit
- Public Entity

**Employer Identification Number (EIN):** \_\_\_\_\_

*Required Documents for a Qualified Developer*

- Signed agreement between filing Religious Institution and Qualified Developer pertaining to Project development application.
- Signed and notarized Owner Declaration (see end of checklist)

*Check ONE of the options below:*

- Local Public Entity.** A local public entity, as defined in Section 50079 of the Health and Safety Code.
- Nonprofit Developer.** A developer that is a nonprofit corporation, a limited partnership in which a managing general partner is a nonprofit corporation, or a limited liability company in

which a managing member is a nonprofit corporation, and the developer owns property or manages housing units located on property that is exempt from taxation pursuant to the welfare exemption established in subdivision (a) of Section 214 of the Revenue and Taxation Code.

- Current articles of Incorporation for the nonprofit developer (a certified copy).
  - Proof of the nonprofit developer's ownership or management of a property exempt from taxation (for example a certified copy of the deed, or an executed management contract).
- Developer Under Contract with a Nonprofit Corporation.** A developer that contracts with a nonprofit corporation that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families with financing in the form of zero interest rate loans.
- Current articles of incorporation for the nonprofit corporation (a certified copy).
  - Proof of the nonprofit corporation's ownership or management of a property exempt from taxation (for example a certified copy of the deed, or an executed management contract).
  - The contract between the developer and nonprofit corporation.
- Community Development Financial Institution.** A Community Development Financial Institution (CDFI) as identified on the United States Department of the Treasury's [list of Certified CDFIs](#)
- Current articles of Incorporation for the CDFI (a certified copy). Ensure the name of the organization appears the same way as on the CDFI list, or provide additional explanation/documentation.

## Shared Equity Project:

*A Shared Equity Project is a project type of the Affordable Housing Incentive Program defined in LAMC Section 12.22 A.39(b) of Chapter 1 and Division 14 of Chapter 1A as: A [80-100% affordable] housing project located on land owned by a Public Agency, a Community Land Trust as defined in California Revenue and Taxation Code Section 402.1(a)(11)(C)(ii), or a Limited-equity Housing Cooperative or Workforce Housing Cooperative Trust as defined in California Civil Code Section 817, except that residential units, in addition to being sold or rented to income qualified persons, may also be held by the non-profit corporation for the purpose of making Lower Income units (as defined in Sec. 12.03 of this Code) financially stable. The land must be owned by the Public Agency, Community Land Trust, Limited Equity Housing Cooperative or Workforce Housing Cooperative Trust at the time of project filing through the date of the Project receiving a Certificate of Occupancy.*

Choose ONE of the ownership types below, or provide both if applicable:

***If owner is a Community Land Trust or Limited Equity Housing Cooperative:***

**Employer Identification Number (EIN):** \_\_\_\_\_

- Proof of current Property ownership (Title Deed including Exhibit A, must show date of acquisition and be a certified copy).
- Current Preliminary Title Report for the Property.
- Current articles of incorporation (a certified copy) of the filing Community Land Trust showing a 501(c)(3) federal income tax exemption and that the Community Land Trust meets criteria of 402.1(a)(11)(C)(ii)/(iii) of the California Revenue and Taxation Code; or articles of incorporation (a certified copy) showing that the Limited-equity Housing Cooperative/Workforce Housing Cooperative Trust meets criteria of California Civil Code Section 817.
- Signed and notarized Property Owner Declaration (see end of checklist)
- (Optional) Projects that have been awarded funding from Measure ULA are eligible for higher base incentives. If this Project has received that award please submit documentation of the award. If the Project has not yet received the award but has applied, please include a short letter explaining where the Project is in the application process. *Projects applying for higher incentives that have not yet received the qualifying award will need to supply evidence of the award as a condition of approval, or resubmit for lower base incentives if they do not receive the award:*
  - Measure ULA Funding Award Letter
  - Applicant Letter related to pursuing Measure ULA funds

**If Owner is a Public Agency:**

- Proof of Property Ownership (Title Deed or equivalent legal title documentation including Exhibit A, must show date of acquisition and be a certified copy; or Preliminary Title Report).
- Letter from head of agency authorizing a representative to sign on behalf of property owner, and/or an exclusive Negotiating Agreement/Developer Agreement between owner and applicant (a certified copy)
- Signed and Notarized Owner Declaration (see end of checklist)
- (Optional) Projects that have been awarded funding from Measure ULA are eligible for higher base incentives. If this project has received that award please submit documentation. If the project has not yet received the award but has applied, please include a short letter explaining where the project is in the application process. *Projects applying for higher incentives that have not yet received the qualifying award will need to supply evidence of the award as a condition of approval, or resubmit for lower base incentives if they do not receive the award:*
  - Measure ULA Funding Award Letter
  - Applicant Letter related to pursuing Measure ULA funds

## Public Land Project:

*A Public Land Project is a case type of the Affordable Housing Incentive Program defined in LAMC Section 12.22 A.39(b) of Chapter 1 and Division 14 of Chapter 1A as: A [80-100% affordable] housing project located in a Public Facility (PF) Zone and/or located on lots owned by a Public Agency.*

### **Provide the Following Documents:**

- Proof of Property Ownership (Title Deed or equivalent legal title documentation including Exhibit A, must show date of acquisition and be a certified copy; or Preliminary Title Report).
- Letter from head of agency authorizing a representative to sign on behalf of property owner, and/or an exclusive Negotiating Agreement/Developer Agreement between owner and applicant (a certified copy)
- (If applicable) City Council resolution or City Council Motion of Authorization
  - Cover letter detailing which development standard deviations are supported by resolution, including number of incentive and/or waiver requests overall.
- Signed and notarized Property Owner Declaration (see end of checklist)

## PROPERTY OWNER DECLARATION

### Affidavit to Verify Ownership Requirements pertaining to Project Types Listed Above (Declaration) - **RETURN NOTARIZED**

I, as the owner or authorized signatory on behalf of the ownership entity, hereby declare all of the following concerning the development proposal described in the application papers submitted to the City (Project):

1. I am the owner of record of the property described by the address(es) and Assessor Parcel Number(s) (APN) immediately below that is located in the City of Los Angeles and is involved in the proposed Project; or I have been empowered to sign as the owner of the property described by the address(es) and APN(s) immediately below, that is located in the City of Los Angeles and is involved in the proposed Project, on behalf of a partnership, corporation, LLC, or trust as evidenced by the documents attached hereto.

Project Address(es): \_\_\_\_\_  
\_\_\_\_\_

Project APN(s): \_\_\_\_\_  
\_\_\_\_\_

2. The ownership and Project information provided on the form herein and attached to this Declaration is complete and correct.
3. The proposed Project complies with all of the eligibility criteria and other rules of LAMC Section 12.22 A.39 of Chapter 1, or Section 9.2.2. of Chapter 1A as applicable, including but not limited to any pertinent rules related to ownership, affordability, zoning, and partnership with a Qualified Developer, for the below selected project type(s) (select applicable project type(s) below):
  - a project under California Government Code Section 65913.16 (S.B. 4); or
  - a "Faith-Based Organization Project" as specified in LAMC Chapter 1/Chapter 1A; or
  - a "Shared Equity Project" as specified in LAMC Chapter 1/Chapter 1A; or
  - a "Public Land Project" as specified in LAMC Chapter 1/Chapter 1A.
4. I acknowledge and understand that, if at any point during the review, approval, construction, and/or post-approval process, a fact that supports the proposed Project changes such that the Project no longer qualifies for the project type listed in Item 3, I, directly or through an authorized representative, shall inform the applicable City departments of this change in writing within 10 City business days. A change of fact that could impact qualification includes but is not limited to a change in applicant tax status, property ownership, or affordability.



5. I acknowledge and understand that any changes to the ownership of the land where the Project is proposed, or to the tax status of the owner of that land, may cause the proposed Project to no longer qualify for the Affordable Housing Incentive Program as specified in LAMC Section 12.22 A.39 of Chapter 1 or Section 9.2.2. of Chapter 1A (Glossary). Where such a change has occurred and disqualifies a project for participation in the Affordable Housing Incentive Program, all prior approvals and determinations may be rendered inapplicable and void as determined by the applicable City department, and new applications, referral forms, or other processes, including additional fees or the payment of previously waived fees, may be required as determined by the applicable City department;
6. I acknowledge and understand that falsifications in the provided documentation, inaccurate information provided unintentionally, and violations of this Declaration may result in the revocation of approvals, permits, or other authorizations that have been issued, the denial of any such applications that are pending, and/or the imposition of other penalties that may be applicable.

By my signature below, I declare under penalty of Perjury under the laws of the State of California that the foregoing statements are true and correct.

Executed on this \_\_\_\_ day, of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ (city),  
 \_\_\_\_\_ (state/province), \_\_\_\_\_ (country).

*Property Owner's signature must be signed/notarized in the presence of a Notary Public. The City requires an original signature from the property owner with the "wet" notary stamp. A Notary Acknowledgment is available for your convenience on the following page.*

**Owner Name** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

**Signatory Name** \_\_\_\_\_

**Signatory Title** \_\_\_\_\_

Add additional signatures as necessary

**Space Below for Notary's Use**

**California All-Purpose Acknowledgement**

**Civil Code ' 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_  
(Insert Name of Notary Public and Title)

personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature (Seal)

## Qualified Developer (If Applicable)

Qualified Developer Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Signatory Name \_\_\_\_\_

Signatory Title \_\_\_\_\_

Add additional signatures as necessary