

NO NET LOSS DECLARATION Supplemental Application



PROPERTY OWNER DECLARATION OF NO NET LOSS OF HOUSING UNITS PURSUANT TO THE HOUSING CRISIS ACT OF 2019 AND THE RESIDENT PROTECTIONS ORDINANCE

For eligible projects, as discussed below, the owner of each property involved in the proposed project may execute this Declaration to affirm that pursuant to the Housing Crisis Act of 2019 (HCA) and the Resident Protections Ordinance (RPO)¹ the proposed project is exempt from affordable replacement requirements and satisfies any applicable no net loss requirements.

HOUSING CRISIS ACT OF 2019 AND RESIDENT PROTECTIONS ORDINANCE (RPO) REQUIREMENTS

Development projects may be subject to replacement requirements and occupant protections under the HCA and the RPO if they involve the demolition of residential dwelling units or are on a site where residential dwelling units were demolished in the prior five years. If projects are subject to the HCA or RPO, they must complete either a Replacement Unit Determination (RUD) or, if eligible, a No Net Loss Declaration form (NNLD) in lieu of a RUD (see eligibility criteria on page 2 below).

A Housing Development Project must include at least as many residential dwelling units as the greatest number of residential dwelling units that existed on the project site within the last five years (i.e., “no net loss”). Additionally, no residential dwelling units may be demolished unless the project will create at least as many residential dwelling units as will be demolished.² To determine if a project is a Housing Development Project subject to the HCA/RPO, review the [Housing Development Project Applicability Matrix](https://planning.lacity.gov/odocument/cd1eaa79-f9ac-460d-9d9d-02021bd3c32d/Housing%20Crisis%20Act%20Project%20Applicability%20Matrix.pdf)³.

A non-residential development project⁴ must replace any existing protected unit(s) that will be demolished, or were demolished on site in the previous five years. Any replacement residential dwelling unit may be provided on the proposed development site or on another site.

The City of Los Angeles [Housing Replacement and Occupant Protection Matrix](https://planning.lacity.gov/odocument/77b5ad50-22f5-48d2-99f4-b3e466eb8f15/202302_HCA-ReplacementMatrix.pdf)⁵ provides a summary of housing replacement and occupant protection requirements for various development types.

¹ Government Code Section 66300.6, and Los Angeles Municipal Code (LAMC) Chapter 1 Sec. 16.60 and Chapter 1A Sec. 4C.15.1. and 4C.15.2.

² California Government Code Section 66300.6, LAMC Chapter 1 Sec. 16.60 A.5, and Chapter 1A Sec. 4C.15.1.C.2.

³ <https://planning.lacity.gov/odocument/cd1eaa79-f9ac-460d-9d9d-02021bd3c32d/Housing%20Crisis%20Act%20Project%20Applicability%20Matrix.pdf>

⁴ Under Government Code Section 66300.6, LAMC Chapter 1 Sec. 16.60 A.4(a)(1), and Chapter 1A Sec. 4C.15.2.E., a project that is an industrial use is exempt from replacement requirements if the site is entirely within a zone that does not allow residential uses, the zoning was adopted prior to January 1, 2022, and the protected units that are or were on the site are or were nonconforming uses.

⁵ https://planning.lacity.gov/odocument/77b5ad50-22f5-48d2-99f4-b3e466eb8f15/202302_HCA-ReplacementMatrix.pdf

ELIGIBLE PROJECT TYPES

To use this declaration in lieu of obtaining a RUD, a proposed development project must be one of the following project types:

1. A project that requires the demolition of only one Single Family Dwelling (SFD) per lot if (a) the SFD is not subject to a form of rent or price control (e.g. the Rent Stabilization Ordinance), and (b) it was not occupied by a tenant at any point in the prior five years; OR
2. A development where all existing units will remain on the site as residential dwelling units; OR
3. A development where there are no residential units on site (e.g. vacant lots and sites with only non-residential uses)

In addition, the site where a development project is proposed must have had no units demolished within the past five years⁶ unless the demolished unit was one SFD per lot that meets the criteria in (1) above.

INSTRUCTIONS FOR SUBMITTING THIS DECLARATION

1. Complete the Project Information section and execute the Property Owner Declaration section.
2. Submit this Declaration with the project application to City Planning (if a development application to City Planning is required) or to the Los Angeles Department of Building and Safety (if a development application to City Planning is not required).

CITY CONTACTS

For guidance and additional information, please see the City Contacts below.

Los Angeles Housing Department: For specific questions regarding replacement requirements, occupant protections, and the RUD process, contact LAHD at LAHD-Landuse@lacity.org. For information on relocation assistance and replacement units for units subject to the RSO, please consult the [Ellis Act webpage](#). For non-RSO units, consult the [Just Cause Ordinance webpage](#). For general LAHD information, call the department's toll free hotline at (866) 557-7368, or visit any of LAHD's public counters by making an appointment [here](#)⁷.

Los Angeles Department of Building and Safety: For general questions regarding the implementation of no net loss procedures related to Housing Development Projects that are not associated with a City Planning application, contact the Department of Building and Safety at LADBS.AHS@lacity.org or (213) 482-0455.

Department of City Planning: For general questions regarding the implementation of no net loss procedures related to Housing Development Projects associated with a City Planning application, contact Los Angeles City Planning at planning.figcounter@lacity.org, planning.mbc2@lacity.org, or planning.southla@lacity.org or visit the [Housing Crisis Act and Resident Protections webpage](#)⁸.

⁶ For site specific information on whether any units have been removed within the past five years, see the "Housing Use Within Prior 5 Years" field under the "Housing" tab on www.zimas.lacity.org.

⁷ <https://housing.lacity.gov/about-us/public-counters>

⁸ <https://planning.lacity.gov/project-review/housing-crisis-act>

PROJECT INFORMATION

Permit Application or City Planning Case No.: _____

Street Address(es): _____

Legal Description (Lot, Block, Tract): _____

Assessor's Parcel Number(s): _____

Site Zoning: _____

Proposed Project Description⁹:

A	Demolished units	
B	Units on site within the prior 5 years	
C	Units withdrawn pursuant to the Ellis Act within the prior 10 years	
D	Newly constructed units	

Note: For Housing Development Projects, D must be equal to or greater than B to comply with No Net Loss (LAMC Chapter 1 Sec. 16.60 A.5 or Chapter 1A Sec. 4C.15.1.C.2)

Additional project description (optional):

⁹The proposed demolition and/or construction of units may change as the proposed Development Project progresses through the City application process. Provided that the development project remains eligible to use this declaration and the number of units proposed to be demolished does not increase, a revised declaration form is not required.

PROPERTY OWNER DECLARATION

Before a City Planning application can be accepted or a building permit issued, the owner of each property involved must provide a signature to verify that this no net loss declaration is correct and is filed with the owner's knowledge and consent. Staff will confirm ownership based on the records from the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs, or trusts, an officer of the ownership entity so authorized may sign according to the below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** An LOA from a property owner granting someone else permission to sign the declaration form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized to file this declaration form, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A.-D. below. In the case of partnerships, corporations, LLCs or trusts, the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with the LOA.
- **Grant Deed.** Provide a Copy of the Grant Deed if the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) signatures are required of all owners.

A. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this development proposal or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.

Initials: _____

- B.** The proposed Development Project is one of the following types: (1) A project that requires the demolition of only one Single Family Dwelling (SFD) per lot if (a) the SFD is not subject to a form of rent or price control (e.g. the Rent Stabilization Ordinance), and (b) it was not occupied by a tenant at any point in the prior five years; OR (2) A development where all existing units will remain on the site as residential dwelling units; OR (3) A development where there are no residential units on site (e.g. vacant lots and sites with only non-residential uses). Additionally, the proposed development site must have had no housing units demolished within the past five years⁶ unless the demolished unit was one SFD per lot that meets the criteria in (1) above.
- C.** If the proposed project is a Housing Development project, it will not result in fewer units than existed in the past five years.
- D.** I hereby acknowledge that any incorrect information provided in this Declaration may result in a revocation or denial of applications to the City for the proposed Development Project and applicable penalties, including but not limited to a tenant pursuing a private right of action seeking damages per LAMC Chapter 1 Sec.16.60 A.7 and Chapter 1A Sec. 4C.15.1.E.2.
- E.** 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 ____ (day) ____ (month) ____ (year) at ____ (city),
____ (state), ____ (country).

By Signature: _____ Print Name: _____

Executed on ____ (day) ____ (month) ____ (year) at ____ (city),
____ (state), ____ (country).

By Signature: _____ Print Name: _____