



SB 8 NO NET LOSS DECLARATION Supplemental Application

PROPERTY OWNER DECLARATION TO NO NET LOSS OF HOUSING UNITS PURSUANT TO THE HOUSING CRISIS ACT OF 2019

NOTICE TO OWNER

Pursuant to California Government Code Section 66300, a Housing Development Project¹, 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”). Projects subject to the Housing Crisis Act of 2019 (HCA) that result in a net loss of housing are prohibited.

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 the No Net Loss Declaration is being filed with their knowledge.

All new Housing Development Projects¹ meeting the following criteria may qualify to use this declaration:

- (1) a residential unit that does not involve the removal of more than one unit;**
- (2) new Accessory Dwelling Units (ADU), Junior ADUs (JADU), or Movable Tiny Homes (MTH) that do not involve the removal of any number of units;**
- (3) a new SB 9 Two Unit Development pursuant to Government Code Section 65852.21 that does not involve the alteration or removal of any number of units; or**
- (4) a new SB 9 Urban Lot Split, pursuant to Government Code Section 66411.7, that does not involve the alteration or removal of any units, and is not on a site that has removed any units within the past five years.**
- (5) A Housing Development Project that does not involve the removal of any number of units, is not on a site that has removed any units within the past five years², and where no units were subject to an Ellis Act withdrawal within the past 10 years.³**

If the Housing Development Project results in fewer legal units than existed in the past five years, then the project must provide additional units so as not to result in a net loss (e.g., a duplex must be replaced by at least two units), and an SB 8 Replacement Unit Determination (RUD) letter must be obtained from the Los Angeles Housing Department (LAHD).

Where residential dwelling units were withdrawn from rent or lease in accordance with Government Code Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 (the “Ellis Act”) within the past 10

¹ Housing Development Projects within a Very High Fire Hazard Severity Zone (VHFHSZ), as determined by the State Fire Marshal, are not subject to HCA housing replacement review. For additional housing replacement information on specific sites, go to the “Housing” tab on www.zimas.lacity.org.

² For site specific information on whether any units have been removed within the past five years go to the “Housing Use Within Prior 5 Years” tab on www.zimas.lacity.org.

³ For site specific information on whether dwelling units were withdrawn from rent or lease within the past 10 years go to the “Ellis Act Property” tab on www.zimas.lacity.org.

years, a Housing Development Project must obtain an SB 8 RUD letter from LAHD.

The project must also be in compliance with Government Code Sections 66300(d)(2)(C) and 66300(d)(2)(D) (i), which require the developer to allow existing occupants to occupy their units until six months before the start of construction activities and to provide relocation benefits to lower income occupants of those affordable residential rental units.

In lieu of signing this declaration, an SB 8 RUD letter may be obtained from LAHD.

CITY CONTACTS

For specific questions regarding replacement requirements and occupant protections or the RUD process, contact LAHD at LAHD-Landuse@lacity.org.

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.

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.HCA@lacity.org.

PROJECT INFORMATION

Permit Application or Case No.: _____

Street Address: _____

Legal Description (Lot, Block, Tract): _____

Assessor's Parcel Number: _____

Site Zoning: _____

Project Description: _____

Maximum number of housing units that existed on the site within the past five years: _____

Maximum number of housing units subject to an Ellis Act withdrawal within the past 10 years: _____

Number of housing units proposed to be removed: _____

Number of housing units proposed to be constructed: _____

Net number of housing units created⁴: _____

Attach proof of existing units, uses, or vacant land within the past five years, such as Certificates of Occupancy, building permits and demolition permits. If the foregoing documentation is not available, other legal documentation may be submitted for review. On a separate sheet, please list and describe the documentation provided.

⁴ To calculate the net number of housing units created, subtract the total units proposed to be constructed and the maximum number of units that existed on the site within the past five years.

PROPERTY OWNER DECLARATION

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 the no net loss declaration is being filed with their knowledge. 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 as stipulated 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 application 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 the file, 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-e 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 said letter.
 - 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.
- b. The proposed Housing Development Project consist of (1) one residential unit; (2) one or more new Accessory Dwelling Units (ADU), Junior ADUs (JADU), or Movable Tiny Homes (MTH) that do not involve the removal of any number of units; (3) a new SB 9 Two-Unit Development pursuant to Government Code Section 65852.21 that does not involve the alteration or removal of any number of units; (4) a new SB 9 Urban Lot Split, pursuant to Government Code Section 66411.7, that does not involve the alteration or removal of any units; or 5) A Housing Development Project that does not involve the removal of any number of units, is not on a site that has removed any units within the past five years, and where no units were subject to an Ellis Act withdrawal within the past 10 years.

_____ (initials)
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- c. The proposed project will not result in fewer units than existed in the past five years. Nor have residential dwelling units been withdrawn from rent or lease in accordance with Government Code Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 (the “Ellis Act”) within the past 10 years.
- d. I acknowledge and understand that the project must include at least as many units as the maximum number or units that existed on the site in the past five years and that any Protected Units withdrawn from rent or lease in accordance with Government Code Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 (the “Ellis Act”) within the past 10 years must also be replaced.
- e. The project is in compliance with Government Code Section 66300(d)(2)(C) and 66300(d)(2)(D) (i), which require the developer to allow existing occupants to occupy their units until six months before the start of construction activities and to provide relocation benefits to lower income occupants of those affordable residential rental units.
- f. Violations of this Declaration may result in a revocation or denial (including Parcel Maps and building permits) as well as any other penalties that may be applicable. I have read the above “Notice to Property Owner” and declare that the information provided in section III “Project Information” is true and correct.
- g. 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/province), _____ (country).

Signature: _____ **Print Name:** _____

Signature: _____ **Print Name:** _____