

**INFORMATION RE:  
AFFORDABLE UNIT DETERMINATION  
CALIFORNIA GOVERNMENT CODE §§65915, 65915.5, AB 2222, as amended by AB 2556**

In order to receive a building permit for a density bonus project that involves the demolition or conversion of rental units and/or construction on vacant land where rental units were demolished/converted within five years, an owner must first comply with the housing replacement provisions of California Government Code §§65915, 65915.5 as amended by AB 2222 and 2556, which were signed into law by Governor Brown on September 27, 2014 and August 19, 2016, respectively. California Government Code §§65915, 65915.5 requires owners of density bonus projects resulting in a loss of existing and in some cases, prior existing housing units, to replace these units on a one-for-one-basis, extends the affordability period of all density bonus projects from 30 years to 55 years from the date of Certificate of Occupancy, and expands the use of equity sharing in for-sale units to low, very low and moderate income households.

The first step in meeting the new obligations is to complete an application for an Affordable Unit Determination with the Los Angeles Housing + Community Investment Department (HCIDLA). Once completed, a Land Use Analyst will conduct a determination as to potential affordable units. Information about the existing property for the five years prior to the date of the owner's permit request is required in order to make a determination. Affordability is primarily measured by: **income level of the tenants**. The existing property's affordability status must be fully supported by reliable documentary evidence such as employer pay stubs. In the absence of income documentation: (1) For density bonus projects, the Land Use staff will make a determination that rental units were last occupied by 50% very low income and 18% low income households pursuant to the U.S. Department of Housing and Urban Development's (HUD) Comprehensive Housing Affordability Strategy (CHAS) database. (2) For transit oriented communities (TOC) projects, the determination breakdown will be 31% extremely low income, 19% very low income, and 18% low income. All replacement calculations resulting in fractional units shall be rounded up to the next whole number.

This information, along with information provided by any existing tenants, will be used to determine whether affordable units currently exist and need to be replaced. Tenant information can take four to six weeks to receive and process. For Discretionary projects, an Affordable Unit Determination will be given to the Planning Department concerning the conditions which must be met for prior to granting a building permit on the project. For By-right projects, a determination letter will be given to the owner prior to completing the land use covenant.

**It is owner's responsibility to obtain all the required documentation verifying the tenant income and the project's rental and occupancy. Failure to provide sufficient documentation within 30 days of the Affordable Unit Application date will result in the delay in processing the land use covenant which will also result in the delay in pulling the building permit.**

It will take approximately 6 to 8 weeks upon receipt of all the required documents including all applicable fees to review and evaluate an Affordable Unit Determination, although a complex project may take longer. In addition, AB 2556 receipts are issued within 5 to 7 days upon receipt of all the required documents. Please keep this in mind when planning your timeline.

For additional questions about the AB 2556, please contact the Los Angeles Housing + Community Investment Department at (213) 808-8843 or [HCIDLA.LandUse@LACity.org](mailto:HCIDLA.LandUse@LACity.org).



**APPLICATION FOR AN AFFORDABLE UNIT DETERMINATION  
CALIFORNIA GOVERNMENT CODE §§65915, 65915.5, AB 2222, as amended by AB 2556**

To receive an Affordable Unit Determination, please complete the following and attach all required documentation. Please attach an explanation for any information you are unable to provide. Please put project address at the top of all attachment pages submitted.

<input type="checkbox"/>	HIMS # _____ <i>(For internal use only)</i>
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**AB2556 Processing Fees**

Number of Units	Total Fee	Check Amount:	
Per Unit Fee (\$1,027 per unit)	\$0.00	Check #:	
		Check Date	

**Property Owner**

Name:		Contact Person:	
Address:			
Phone:	Fax:	Cell:	Email:

**Owner Contact**

Name:		Title:	
Address:			
Phone:	Fax:	Cell:	Email:

**Applicant (if different from Owner)**

Name:		Contact Person:	
Role in Property:		Address:	
Phone:	Fax:	Cell:	Email:

**Description of PROPOSED construction/conversion:** TOC  DB  JJJ  PSH  SB35   
Apartment  OR Condo

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Building Permit Application Number(s):
If no Building Permit Application, please explain:

City Planning Dept. Case #(s) and Tentative Tract #(s):
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**EXISTING PROPERTY (include ALL existing buildings in complex - attach additional pages if needed)**

APN Number(s):
Lot Number(s):
Does this property have a Certificate of Occupancy issued on or before October 1, 1978?
Does this property have a lot tie?

Building Address:	# of Units in Building
Add Total Units in Complex:	

**Description of existing units, buildings or APN**

**Miscellaneous project details, notes, comments, etc.**



## Required Documents

Please mail or email to: **Los Angeles Housing + Community Investment Department**

- Owner's Affidavit (must be signed by owner of record on the grant deed)
- List of units in each building, including unit #, unit square footage, and number of bedrooms
- If unit is rented, list tenant name  
If unit is not rented, explain its current use, and give date last tenant vacated (if applicable)
- Information to prove vacancy or occupancy status (such as owner occupancy)  
Examples: utility bills, property tax bills, IRS forms
- Grant Deed (current, recorded)  
Ownership Documents:
  - If LLC - Articles of Organization, Statement of Information and Operating Agreement
  - If LP – Certificate of Limited Partnership and Limited Partnership Agreement
  - If Corporation - executed Board Resolution establishing signatory authority for this Application, Statement of Information and Articles of Incorporation
- If Trust, Trust documents
- Ellis documents, tenant relocation documents, if under Rental Stabilization Ordinance (RSO)
- City Planning Determination and/or Vesting/Tentative Tract Letters, if project has one Lot Tie, if available

Planning and Land Use Unit  
1200 W. 7th Street, 8th Floor  
Los Angeles, California 90017  
[HCIDLA.LandUse@LACity.org](mailto:HCIDLA.LandUse@LACity.org)

Date: _____
Signature of Owner _____
<small><i>Under penalty of perjury, I certify that the information presented in this application is true and accurate to the best of my knowledge. Title 18, Section 1001 of the U.S. Code states that a person is guilty of felony for knowingly and willfully making false or fraudulent statements to any department of the United States Government.</i></small>

All documentation must be received within 30 days of the date this application was signed by Owner. For additional questions, please contact HCIDLA at (213) 808-8850 or [HCIDLA.LandUse@LACity.org](mailto:HCIDLA.LandUse@LACity.org)



Date: \_\_\_\_\_

To: Los Angeles Housing + Community Investment Department (HCIDLA)  
Planning and Land Use Unit Section - Affordable Unit Determination  
1200 W. 7<sup>th</sup> Street, 8<sup>th</sup> FL  
Los Angeles, California 90017

Re: \_\_\_\_\_  
Address (including apartment or unit number/s)

\_\_\_\_\_  
(All APN Numbers)

**OWNER'S AFFIDAVIT**  
**(Use when owner is the applicant)**

\_\_\_\_\_  
[circle one: a LLC, LP, corporation,  
other: \_\_\_\_\_ ("Owner") hereby certifies that:

- (1) Owner is the legal owner of the above-referenced real property ("Property"); and
- (2) That the person(s) identified below ("Authorized Signatory/ies") has/have been legally authorized to sign on its behalf as evidenced by the separate instrument(s) attached herewith; and
- (3) The documents furnished to HCIDLA in conjunction herewith, represent the full and complete information required for the Affordable Unit Determination requested for the Property and that the facts, statements and information presented are true and correct to the best of its knowledge and belief.

Owner declares under penalty of perjury under the State of California that the foregoing is true and correct.

**\*Attach California Notary Public Acknowledgement**

Executed on \_\_\_\_\_ at \_\_\_\_\_, California  
(Date) (City)

Print Full Name of Authorized Signatory/ies: \_\_\_\_\_

Signature of Authorized Signatory/ies: \_\_\_\_\_

(additional signature lines may be added as needed)



Date: \_\_\_\_\_

To: Los Angeles Housing + Community Investment Department (HCIDLA)  
Planning and Land Use Unit Section - Affordable Unit Determination  
1200 W. 7<sup>th</sup> Street, 8<sup>th</sup> FL  
Los Angeles, California 90017

Re: \_\_\_\_\_  
Address (including apartment or unit number/s)

\_\_\_\_\_  
(All APN Numbers)

**APPLICANT’S AFFIDAVIT AND OWNER’S ACKNOWLEDGMENT**  
**(Use when Applicant and Owner are separate entities)**

\_\_\_\_\_  
[circle one:a LLC, LP, corporation,  
other:\_\_\_\_\_ (“Applicant”) hereby certifies that:

(1) Applicant is the potential future developer of the above-referenced real property (“Property”) owned by \_\_\_\_\_ [circle one:a LLC, LP, corporation,  
other:\_\_\_\_\_ (“Owner”); and

(2) That the person(s) identified below (“Authorized Signatory/ies”) has/have been legally authorized to sign on its behalf as evidenced by the separate instrument(s) attached herewith; and

(3) The documents furnished to HCIDLA in conjunction herewith, represent the full and complete information required for the Affordable Unit Determination requested for the Property and that the facts, statements and information presented are true and correct to the best of its knowledge and belief.

Applicant declares under penalty of perjury under the State of California that the foregoing is true and correct.

**\*Attach California Notary Public Acknowledgement**

Executed on \_\_\_\_\_ at \_\_\_\_\_, California  
(Date) (City)

Print Full Name of Authorized Signatory/ies: \_\_\_\_\_

Signature of Authorized Signatory/ies: \_\_\_\_\_

(additional signature lines may be added as needed)

**OWNER'S ACKNOWLEDGMENT:**

Owner and/or Applicant must also attach hereto:

A letter from the Owner [on business letterhead as applicable] to the City, attesting to ownership of the Property and confirming that Applicant is the potential future developer of the Property, that Owner is aware of, has no objections to, and authorizes the Applicant to submit an Affordable Unit Determination to HCIDLA for its Property.