

**INFORMATION RE:  
REPLACEMENT UNIT DETERMINATION  
HOUSING CRISIS ACT OF 2019 (SB 330)**

The Housing Crisis Act of 2019 prohibits the approval of any proposed housing development project on a site that will require the demolition of existing residential dwelling units or occupied or vacant “Protected Units” unless the proposed housing development project replaces those units as specified below. The replacement requirements below are applicable only to those proposed housing development projects that submit a complete application pursuant to California Government Code Section 65943 to the Los Angeles City Planning Department on or after January 1, 2020.

**Replacement of Existing Residential Dwelling Units.**

The proposed housing development project shall provide at least as many residential dwelling units as the greatest number of residential dwelling units that existed on the project site within the past 5 years.

**Replacement of Existing or Demolished Protected Units.**

The proposed housing development project must also replace all existing or demolished “Protected Units.” Protected Units are those residential dwelling units that are or were within the 5 years prior to the owner’s application for a Replacement Unit Determination: **(1)** subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income, **(2)** subject to *any* form of rent or price control through a public entity’s valid exercise of its police power within the 5 past years, **(3) occupied by lower or very low income households (an affordable Protected Unit)**, or **(4)** that were withdrawn from rent or lease per the Ellis Act, within the past 10 years.

Whether a unit qualifies as an affordable Protected Unit, is primarily measured by the income level of the occupants (i.e. W-2 forms, tax return, pay stubs etc.) HCIDLA will send requests for information to each occupant of the existing project which can take up to 4 to 6 weeks to be returned. It is the owner’s responsibility to work with the occupants to ensure the requested information is timely produced.

- **In the absence of occupant income documentation:** Affordability will default to the percentage of extremely low, very low, and low income renters in the jurisdiction as shown in the latest HUD Comprehensive Housing Affordability Strategy (CHAS) database, which is presently at 30% extremely low income, 19% very low income and 18% low income for Transit Oriented communities (TOC) projects and 49% very low income an 18% low income for Density Bonus projects. The remaining 33% of the units are presumed **above-low income**. All replacement calculations resulting in fractional units shall be rounded up to the next whole number.

**Replacement of Protected Units subject to the Rent Stabilization Ordinance, last occupied by persons or families at moderate-income or above:** The City has the option to require that the proposed housing development project shall provide: (1) replacement units affordable to low-income households for a period of at least 55 years (rental units shall be subject to a recorded covenant) OR (2) require the units to be replaced in compliance with the RSO.

**Relocation, Right of Return, Right to Remain for occupants of Protected Units.**

SB 330 also provides the right of first refusal for comparable units (i.e. same bedroom type) in the owner's proposed new housing development to occupants of Protected Units. Replacement units must be of the same bedroom type of the units demolished. The comparable replacement units must be provided at a rent or sales price affordable to the same or lower income category. Occupants of Protected Units also are entitled to receive relocation pursuant to state or local law, whichever provides greater assistance and the right to remain in their unit until 6 months before the start of construction.

**Application for a Replacement Unit Determination.**

Owners of proposed housing developments subject to the above replacement obligations must complete an application for a Replacement Unit Determination (RUD) with the Los Angeles Housing + Community Investment Department (HCIDLA). Information provided by the owner and existing tenants, as well as information gathered by HCIDLA will be used to determine whether any Protected Units exist. A RUD can take up to 6 to 8 weeks to process upon receipt of all the required documents. Owner will be provided with the completed RUD with a copy sent to the Department of City Planning. For additional questions about the RUD, please contact HCIDLA at [HCIDLA.LandUse@LACity.org](mailto:HCIDLA.LandUse@LACity.org).