



Housing Crisis Act Compliance for Demolitions

Community Development Department
Planning Division
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General Information

The Housing Crisis Act of 2019 (SB 330 [Chapter 654, Statutes of 2019] and SB 8 [Chapter 161, Statutes of 2021]) sets a temporary 10-year prohibition on reducing residential density when associated with the approval of a “housing development project”, beginning January 1, 2020 and concluding on January 1, 2030. A “housing development project” is defined as: a residential project of one or more units; a mixed-use project with two-thirds of the floor area designated for residential use; or a transitional or supportive housing project. In addition, existing units that are defined as “protected”¹ under the law (see below for qualifications) must be replaced with units that have an equivalent number of bedrooms, rents affordable at the same income category as the displaced tenant(s) (or if incomes are unknown, according to the proportion of lower income renter households in the jurisdiction), and displaced tenants must be provided relocation benefits. Therefore, concurrent with the application of a housing development project that involves the demolition of any residential unit(s), the property owner shall answer the questions below for Housing Crisis Act compliance.

Site Address: _____ **Legal Description:** _____

1) **Are you proposing to redevelop the site with a “housing development project”?** ___ Yes ___ No

If no, stop here and sign certification.

2) **Units proposed for demolition:** _____ **Units proposed for construction:** _____

If a reduction in density is proposed, a demolition permit cannot be issued.

3) **If you answer yes to any of the following questions, the unit(s) are considered “protected”:**

- a. Currently, or within the last 5 years, are any of the units subject to a recorded covenant ordinance, or law restricting rents to levels affordable to low- or very low-income households? ___ Yes ___ No
- b. Currently, or within the last 5 years, are any of the units occupied by low- or very-low income households (see attachment for current income limits)? ___ Yes ___ No

If any of the units proposed for demolition meet the “protected” criteria, please provide a summary of units (i.e., apartment number, size, number of bedrooms, household size, and income level of tenant) and schedule a meeting with a planner to discuss replacement requirements. A demolition permit cannot be issued until an agreement is executed with the City guaranteeing the replacement of the protected units and tenant relocation benefits.

Property Owner Certification (required):

I _____, hereby certify that I am the property owner of the above described property. I declare under the penalty of perjury, the facts, statements and information presented in this document are true and correct to the best of my knowledge and belief.

Signature

Date

Phone Number

¹ The City of Newport Beach does not have a local rent control ordinance. As such, the categories of “protected units” are limited to those stated above.

ATTACHMENT A

2021 Orange County Income Limits

If any units proposed for demolition are, or within the last 5 years, occupied by a very low- or low-income household, units are considered “protected” and require replacement. Please use the following table to determine income category of tenants occupying units. Responsibility of acquiring required information is that of property owner.

Household Size	Income Categories Protected Unit		Income Category Non-Protected Units
	Very Low	Low	Moderate or Above
1	Up to \$47,100	\$47,101 - \$75,300	\$75,301 or Above
2	Up to \$53,800	\$53,801- \$86,050	\$86,051 or Above
3	Up to \$60,550	\$60,551 - \$96,800	\$96,801 or Above
4	Up to \$67,250	\$67,251- \$107,550	\$107,551 or Above
5	Up to \$72,650	\$72,651- \$116,200	\$116,201 or Above
6	Up to \$78,050	\$78,051 - \$124,800	\$124,801 or Above

If incomes are unknown, assume a proportion of units are “protected” in accordance to the proportion of lower-income renter households in the City. For example, for a 5-unit apartment building, assume 1 unit was occupied by a very-low income household and 1 unit was occupied by low-income households based on the proportions below. The HUD database can be accessed at the following link: https://www.huduser.gov/portal/pdrdatas_landing.html

Proportion of Renter Households by Income Level - Newport Beach Comprehensive Housing Affordability Strategy (CHAS) 2013-2017		
Income Level	Renter Households	Percentage of Total Renter Households
Very Low Income	4,240	26%
Low Income	2,550	15.6%
Moderate Income	1,310	8%
Above Moderate Income	8,230	50.4%
Total	16,325	100%