

FACT SHEET

Interim Guidance on the Implementation of SB 8 (2021)

Summary

Beginning January 1, 2022, the Housing Crisis Act of 2019, as amended by Senate Bill (SB) 8 (2021), applies to the following projects:

- Discretionary Housing Development Projects that receive a final approval on or after January 1, 2022,
- Ministerial On-menu Density Bonus, SB 35, and AB 2162 Housing Development Projects that submit an application to Los Angeles City Planning (LACP) on or after January 1, 2022, and to
- Ministerial Housing Development Projects that submit a complete set of plans to the Los Angeles Department of Building & Safety (LADBS) for Plan Check and permit on or after January 1, 2022.

Housing Development Project, as defined in California Government Code Section 65905.5(b)(3), includes the following types of development¹:

- A residential-only project that creates one or more residential unit(s); or
- A mixed-use development where at least two-thirds of the project Building Area is dedicated to residential uses, residential units and any uses accessory to the residential uses; or
- Supportive or Transitional Housing

To implement Chapter 7 of the Government Code as amended by SB 8 (2021), the following applies.

¹ This definition does not change the definition of Housing Development Project in the Housing Accountability Act under Government Code Section 65589.5(h)

No Net Loss of Residential Units

Pursuant to Government Code section 66300, as amended by SB 8, Housing Development Projects requiring the demolition of one or more residential units must replace at least as many residential units as will be demolished. Housing Development Projects consisting of a single unit may require additional replacement units if demolishing more than one unit. For example, a duplex must be replaced by at least two units.

Replacement of Protected Units

Government Code Section 66300, as amended by SB 8, provides that a Protected Unit be replaced in a Housing Development Project consisting of two or more units with a unit of equivalent size and include a right-of-first-refusal, right-to-remain up to six months prior to the start of construction activities, and relocation assistance for lower-income occupants of a Protected Unit. Housing Development Projects consisting of a single unit replacing a single unit may replace with a unit of any size and income level consistent with State and City rules and regulations.

Optional Vesting Preliminary Application

All Housing Development Projects submitting an application to LACP or complete plans to LADBS on or after January 1, 2022 are eligible to apply for vesting pursuant to the Housing Crisis Act provided that the optional vesting preliminary application is completed prior to filing the LACP application or complete plans to LADBS for Plan Check and permit.

Contacts

Los Angeles Housing Department

For general questions on unit replacement and occupant protections, contact LAHD-Landuse@lacity.org or visit <https://housing.lacity.org/partners/developers/developer-resources>. If demolishing units subject to the Rent Stabilization Ordinance (RSO), visit [LAHD's Ellis Removal from Rental Market Information Page](#) for additional information about the RSO relocation process.

Los Angeles City Planning

For information regarding the optional vesting preliminary application and general questions about implementation of the Housing Crisis Act for projects associated with a LACP application, contact the Preliminary Application Review Program (PARP) staff at planning.PARP@lacity.org.

Los Angeles Department of Building & Safety

For general questions about the implementation of the Housing Crisis Act of 2019 for projects that do not involve an application to LACP, contact the Department of Building & Safety at 311 or 213.473.3231