

**MOTION**

The City of Los Angeles is in the midst of a housing crisis. In addition to the high rent burden tenants face, renters and buyers in the city are also facing housing supply shortages, which in turn exacerbate high prices. According to the Los Angeles Times, citing commercial real estate data firm CoStar, the vacancy rate in the city has dropped from six percent in mid-2020, to three and a half percent in 2022. In an effort to boost supply, state laws enacted in 2020 and 2021 removed several restrictions around building accessory dwelling units (ADUs) in California and contained measures designed to actively promote construction.

Garage conversions provide a convenient, more affordable, and nearly undetectable way for homeowners to add an ADU to their property. A 2020 study in the Journal of Planning Education and Research, *Converting Garages into Housing*, notes that “second units—including garage conversions—can be found in nearly every neighborhood in Los Angeles, including affluent ones”. Illegal conversions of garages into ADUs are prevalent throughout the city. An illegal garage conversion occurs when a property owner or tenants alters or modifies their garage for living purposes without obtaining the proper approvals or permits from the City. The unpermitted nature of these units often results in lower rents. However, the unpermitted nature can also pose dangerous conditions for the health and safety of the tenants.

Under current City process, based on existing Code language, when converting an unpermitted structure to a legal ADU, the existing unpermitted structure must first be permitted under current codes and issued a Certificate of Occupancy in order for the ADU to utilize certain zoning code allowances applied to converting an accessory structure (e.g. garage, storage, recreation room). In other words, a garage illegally converted into a residential unit must first be fully permitted as, and returned to, a garage before the applicant can then apply to legalize and convert their unit into an ADU. Returning the unit to a garage before legalization is not only costly, but time consuming, and does not affect the safety of the final permitted ADU. This additional step may deter many property owners from pursuing legalization.

The City should explore opportunities to remove barriers and instead encourage and facilitate the legalization of existing, illegal structures and ADU units for the health and safety of tenants and creation of more affordable housing stock. Furthermore, the City should explore the development of a temporary amnesty program for legalizing unpermitted ADUs, in exchange for placing affordable housing covenants on the resulting units.

**I THEREFORE MOVE** that the City Attorney, in consultation with the Department of Building and Safety, be directed to identify and report on the proper mechanism and documentation necessary for waiving the requirement of a Certificate of Occupancy as the basis for ADU conversion and instead require only permit issuance.

**I FURTHER MOVE** that the Department of Building and Safety, the Department of City Planning, with the assistance of the Chief Legislative Analyst and other relevant departments, be directed to report with recommendations on implementing a citywide ordinance to effectuate an amnesty program for legalizing unpermitted ADUs. The report should include applicable precedents from the City’s Unpermitted Dwelling Unit Ordinance, and recommended parameters for:



- Program eligibility;
- Program duration;
- Health and safety standards;
- Inspection and assessment requirements;
- Zoning and building code requirements;
- Code enforcement procedures and
- Affordable housing requirements

PRESENTED BY

*Monica Rodriguez*

MONICA RODRIGUEZ  
Councilwoman, 7th District

SECONDED BY

*Bob...*

ORIGINAL