



Eric Garcetti, Mayor
Ann Sewill, General Manager

DATE: July 15, 2020

TO: 2121 Westwood LLC, a California limited liability company, Owner

FROM: Marites Cunanan, Senior Management Analyst II *M. Cunanan*
Los Angeles Housing and Community Investment Department

SUBJECT: **Housing Crisis Act of 2019 (SB 330)**
(TOC) Replacement Unit Determination
RE: 2107 – 2121 South Westwood Boulevard, Los Angeles, CA 90025

Based on the Application for a Replacement Unit Determination (RUD) submitted by Hiro Kobayashi and Olivia Joncich on behalf of 2121 Westwood LLC, a California limited liability company (Owner), for the above referenced property located at 2107 – 2121 S. Westwood Blvd., on lots 2, 3, 4 and 5 in block 47 of Tract No. 5609, (APNs 4322-001-015, -016 and -021) (Property) the Los Angeles Housing and Community Investment Department (HCIDLA) has determined that one (1) unit (as detailed below) is subject to replacement pursuant to the requirements of the Housing Crisis Act of 2019 (SB 330).

PROJECT SITE REQUIREMENTS:

SB 330 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 Department of City Planning 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.). 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 32% extremely low income, 19% very low income and 19% low income for Transit Oriented Communities (TOC) projects and 51% very low income an 19% low income for Density Bonus projects. The remaining 30% of the units are presumed above-low income and if subject to the Rent Stabilization Ordinance (“RSO”), must be replaced in accordance with the RSO. All replacement calculations resulting in fractional units shall be rounded up to the next whole number.

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. Therefore, for occupied units, the 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 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.

THE PROPOSED HOUSING DEVELOPMENT PROJECT:

Per the statement received by HCIDLA on May 6, 2020, the Owner plans to construct a new apartment building with one hundred and nine (109) residential units on the Property pursuant to Transit Oriented Communities (TOC) Guidelines.

PROPERTY STATUS (AKA THE “PROJECT SITE”):

Owner submitted an Application for a RUD for the Property on May 6, 2020. In order to comply with the required **10** year look back period, HCIDLA collected and reviewed data from May 2010 to May 2020.

Review of Documents:

Pursuant to the Grant Deed, Owner acquired the Property on April 13, 2020.

Los Angeles Department of Building and Safety records for the Property indicate that commercial structures and one (1) mixed-use building currently exists on the Property.

Department of City Planning (ZIMAS), County Assessor Parcel Information (LUPAMS), DataTree database, Billing Information Management System (BIMS) database, and the Code, Compliance and Rent Information System (CRIS) database, indicates a use code of “1100 – Commercial – Store – One Story” for the property commonly known as 2107 – 2113 S. Westwood Blvd. (APN: 4322-001-021). Google Earth images and an Internet Search supports that the Property contains commercial structures.

Department of City Planning (ZIMAS), County Assessor Parcel Information (LUPAMS), DataTree database, Billing Information Management System (BIMS) database, and the Code, Compliance and Rent Information System (CRIS) database, indicates a use code of “1210 – Commercial – Store Combination – Store and Residential Combination – One Story” for the property commonly known as 2115 – 2117 S. Westwood Blvd. (APN: 4322-001-015). Google Earth images, an Internet Search and the RSO Unit supports that the Property contains a mixed-use building with one (1) residential unit subject to the RSO.

Department of City Planning (ZIMAS), County Assessor Parcel Information (LUPAMS), DataTree database, Billing Information Management System (BIMS) database, and the Code, Compliance and Rent Information System (CRIS) database, indicates a use code of “2700 – Commercial – Parking Lot (Commercial Use Property) – Lots – Patron or Employee – One Story” for the property commonly known as 2121 S. Westwood Blvd. (APN: 4322-011-016). Google Earth images, an Internet Search and the RSO Unit supports that the Property contains a parking lot.

The Los Angeles Department of Building and Safety database indicates that the Owner has not applied for a new Building Permit or a Demolition Permit.

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REPLACEMENT UNIT DETERMINATION:

The Existing Residential Dwelling Units at the Property:

ADDRESS	BEDROOM TYPE	“PROTECTED?”	BASIS OF “PROTECTED” STATUS
2115 S. Westwood Blvd.	1 Bedroom	Yes	RSO
Totals:	1 Unit	1 Bedroom	

Pursuant to (SB 330), where incomes of existing or former tenants are unknown, the required percentage of affordability is determined by the percentage of extremely low, very low, and low income rents in the jurisdiction as shown in the HUD Comprehensive Housing Affordability Strategy (CHAS) database. At present, the CHAS database shows 32% Extremely Low (Below 31% Area Median Income [AMI]), 19% Very Low ([31% to 50% AMI]), and 19% Low ([51% to 80% AMI]) renter households for Los Angeles (for a total of 70%). The balance of these unit(s) (i.e. 30%) are presumed to have been occupied by persons and families above-lower income.

Number of Existing Residential Dwelling Units and Protected Units within five (5) years of Owner’s application:	1	
Number of Protected Units Ellised within the last (10) years:	0	
Number of Affordable Replacement Units required per CHAS:	1	
1 Unit x 70%		1 Unit
32% Extremely Low		1 Unit
19% Very Low		0 Units
19% Low		0 Units
Market Rate RSO units	0 Units	
Number of Unit(s) presumed to be above-lower income subject to replacement:	0	

For Rental:

No income documents were provided for these unit(s). Pursuant to CHAS, one (1) unit(s) need to be replaced with equivalent type, with one (1) unit restricted to Extremely Low Income Households.

Per statement provided on behalf of Owner, the residential unit was not vacant, but we received no response to the tenant income verification letter that was mailed to the address. In regards to the right of return, the unit bedroom type **is** required to be replaced like-for-like.

Please note that all the new units may be subject to RSO requirements unless the RSO is not applicable, or an RSO Exemption is filed and approved by the RSO Section. This determination is provisional and subject to verification by the RSO Section.

This RUD only applies if the proposed project is a rental TOC project and NOT condominiums. In the event the project changes to condominiums, the owner needs to request a RUD amendment to reflect 100% replacement of the units. In addition, if the project is changed from TOC to Density Bonus, a RUD amendment will also be required.

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****WARNING****

LOT TIES AND EXISTING PRE-1978 SINGLE FAMILY DWELLING ON ONE LOT

ISSUE:	Is a LOT TIE required for the NEW proposed housing development project?
IF NO:	Owner's existing Rent Stabilization (RSO) replacement obligation, if any, remains the SAME as above.
IF YES:	Owner's existing RSO replacement obligation, if any, will INCREASE by one and the proposed housing development project will also be subject to the RSO, unless the existing single family dwelling is demolished before the lots are tied.

NOTE: This determination is provisional and is subject to verification by HCIDLA's Rent Division.

If you have any questions about this RUD, please contact Nicholas Kawazoe at nicholas.kawazoe@lacity.org.

cc: Los Angeles Housing and Community Investment Department File
2121 Westwood LLC, a California limited liability company, Owner
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