



# REQUEST FOR RESALE PRICING ADJUSTMENT BELOW MARKET RATE (BMR) OWNERSHIP UNITS

## SUPPLEMENTAL INFORMATIONAL AND REQUEST FORM

The Department may administratively approve requests to adjust resale pricing by increasing the Affordable Price and Income Limits for certain Below Market Rate Owned Units. For questions, you can call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org) where planners are able to assist you.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

中文: 如果您希望獲得使用中文填寫這份申請表的幫助, 請致電628.652.7550。請注意, 規劃部門需要至少一個工作日來回應。

**Filipino:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

## OVERVIEW

On November 5, 2024, the Board of Supervisors approved legislation to authorize certain Below Market Rate (BMR) Owned Units to be resold at a price affordable to households at an increased Area Median Income (AMI) level (referred to as maximum pricing AMI), to allow an increase in the qualifying AMI limit for BMR purchasers (referred to as maximum qualifying AMI). The legislation was signed into law by Mayor London Breed on November 14, 2024, and became effective on December 14, 2024 (Board File No. [240802](#)). On December 12, 2024, the Planning Commission approved a trailing resolution to delegate administrative approval of such requests to the Planning Director, or their designee, to modify conditions of approval to allow qualifying units to seek a one-time adjustment of the Affordable Price and AMI levels for the unit.

## IS MY UNIT ELIGIBLE FOR ADMINISTRATIVE APPROVAL?

A BMR unit is eligible for a pricing adjustment if the Owner purchased the unit at a price that is higher than the Affordable Price at the time of resale. The Affordable Price will be determined by the Mayor's Office of Housing and Community Development (MOHCD) based on the Notice of Special Restrictions or other document establishing affordability requirements for the unit at the time MOHCD processes the resale request. To request this adjustment, a resale request for the unit must be submitted to MOHCD no later than December 14, 2027.

Additionally, qualifying units must have been constructed pursuant to Planning Code Section 415.6 (On-Site Affordable Housing Alternative) or 415.7 (Off-Site Affordable Housing Alternative) to be eligible for administrative approval by the Planning Director, or their designee. The BMR unit must also comply with the marketing and resale procedures as outlined in the Procedures Manual. The proposed modifications are limited to the following:

- i. Adjustment of the Affordable Price by MOHCD up to the original purchase price paid by the current Owner.

- ii. Increase of the maximum pricing AMI for the unit to reflect the adjusted Affordable Price, up to a maximum of 130% AMI.
- iii. Increase of the maximum qualifying AMI for the unit by up to 20% above the maximum pricing AMI, up to a maximum of 150% AMI.

## HOW TO SUBMIT?

Submit a completed copy of this BMR Resale Pricing Adjustment Request Form, along with the required supplemental documents listed below, to [CPC.Intake@sfgov.org](mailto:CPC.Intake@sfgov.org).

## SUBMITTAL REQUIREMENTS

The following materials are required for qualifying units seeking to adjust the BMR Resale Affordable Price and Income Levels:

1. Completed BMR Resale Pricing Adjustment Request Form
2. Letter of Authorization (if someone other than the Owner is applying for this request)
3. Recorded documents from the approved project as applicable, including but not limited to:
  - a. Notice of Special Restrictions with conditions of approval
  - b. Below Market Rate (BMR) Notice of Special Restrictions (NSR)
4. A conditional compliance letter from MOHCD, which includes the unit's current compliance status with resale procedures, the adjusted Affordable Price, and corresponding maximum pricing and qualifying AMI limits for the unit, and any other relevant information or conditions required for approval.

## FEES

Properties that are eligible for administrative approval shall pay the application fee to amend the Conditions of Approval of a previous project as set forth in the [Planning Department Fee Schedule](#). If the project scope is modified such that it requires additional environmental review, then the application fee for the required environmental review will apply. For questions related to the [Fee Schedule](#), call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org) where planners are able to assist you.



## BMR RESALE PRICING ADJUSTMENT

### REQUEST FORM

#### Property Information

BMR Unit Address:

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Block/Lot(s):

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Zoning District:

Special Use District (as applicable):

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#### Property Owner's Information

Name:

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Address:

Email Address:

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Telephone:

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#### Applicant Information

Same as above

Name:

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Company/Organization:

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Address:

Email Address:

---

Telephone:

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Please Select Billing Contact:

Owner

Applicant

Other (see below for details)

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Please Select Primary Property Contact:

Owner

Applicant

Billing

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#### RELATED APPLICATIONS

**Related Planning Records** (List all the Planning Records associated with the previous project)

N/A

Planning Record No(s):

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**Related Building Permit Application** (List any active building permits associated with the project)

N/A or Building Permit Application No(s):

## PROPERTY INFORMATION

### PROPERTY DESCRIPTION:

Provide a narrative of the changes to the previously entitled unit that you are seeking along with any other relevant details. Please also respond to all the questions below. If you need assistance completing this section, contact MOHCD or Planning Department staff.

1. Has a resale request been submitted to MOHCD? If yes, indicate the date.
2. What year was the unit purchased by the current Owner(s)?
3. What is the current Affordable Price of the subject unit?
4. What is the current maximum pricing AMI for the subject unit?
5. What is the current maximum qualifying AMI for the subject unit?

# APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible and in response to the monitoring of any condition of approval.
- e) I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts - have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.
- f) I understand that the adjusted Affordable Price and the corresponding maximum income limit for the unit will be established for all other purposes by the recording of a new Notice of Special Restrictions upon closing the resale of the unit. As a condition of MOHCD's approval of the adjustments under subsection (b)(9) of Board File No. 258-24, the current Owner shall execute and authorize the recordation of the new Notice of Special Restrictions in senior lien priority upon closing the resale of the unit.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Relationship to Project  
(i.e. Owner, Architect, etc.)

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_