



DWELLING UNIT REMOVAL: MERGER OR CONVERSION

For residential projects that propose removing existing housing units through mergers or conversions

A Project Application must be submitted for any project application that requires an intake/in-house for Planning Department review. For more, see the [Project Application Informational Packet](#).

Pursuant to Planning Code Section 317, the Planning Commission shall hear and make determinations regarding the loss of dwelling units including the loss of unauthorized dwelling units due to mergers and conversions, with some codified exceptions.

For projects that require **residential demolition**, the project sponsor must fill out the [Dwelling Unit Removal: Demolition](#) supplemental application instead.

Fees: After you submit your application, Planning calculates your fees based on your estimated construction cost. You must pay the full development application fee for your application to be complete. If Planning staff spends more time or materials than the initial fee covers, the Department charges extra fees based on time and materials. See the [Fee Schedule](#) for details, call 628.652.7300 or email pic@sfgov.org to get help from Planning staff.

What is a Dwelling Unit Removal Supplemental Application?

The Dwelling Unit Removal application is intended for any requests involving the removal of existing housing through mergers and conversions. This application is designed to determine if the proposed dwelling unit merger or conversion/removal is desirable, utilizing the review criteria set forth in Planning Code Section 317. The Code provides for some administrative exceptions where Planning staff may approve an application to remove dwelling units without a public hearing, but only if the project meets certain specific requirements. If a project proposes to demolish dwelling units, please use the 317 Dwelling Unit Removal: Demolition application. For more information, please refer to Planning Code Section 317, or consult a planner at the Planning counter at the Permit Center.

When is a Dwelling Unit Removal Supplemental Application Necessary?

The Planning Commission generally requires Conditional Use hearings for all projects that would result in the removal of existing housing units, whether by demolition, merger with other dwellings, or by conversion to non-residential uses. Exemptions from the Conditional Use Authorization process are available for projects outside of Priority Equity Geographies, which is further described in Planning Code Section 317(c). This application is for Development Projects that propose removal of a legal dwelling unit or an unauthorized unit through merger or conversion. If a Development Project proposes removal of a legal dwelling unit or unauthorized unit through demolition, please use the Dwelling Unit Removal: Demolition Application.

Please note that pursuant to Planning Code Section 317(g)(2), the Planning Commission will not approve an application for a Residential Merger if any tenant has been evicted where the tenant was served with an eviction notice after December 10, 2013, and:

- pursuant to Administrative Code Sections 37.9(a)(9)-(12), (14) or (17) if the eviction notice was served within 10 years prior to filing this application for a merger; or
- pursuant to Administrative Code Section 37.9(a)(8) if the eviction notice was served within 5 years prior to filing this application for a merger.

Please consult a planner at the Planning counter for additional information regarding these applications.

How Does the Process Work?

If the proposed project results in the loss or removal of one (1) or more dwelling units, please submit the required materials with the completed Dwelling Unit Removal supplemental application

- [Project Application](#)
- [Conditional Use Authorization supplemental application](#)

The Project Application and required supplemental application materials can be submitted electronically through the [San Francisco Planning's Public Portal](#). Once the application is deemed complete, you will receive an email notification regarding an electronic payment.

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.

Tiếng Việt: Nếu quý vị muốn được hỗ trợ hoàn thành đơn này bằng tiếng Việt, vui lòng gọi 628.652.7550. Xin lưu ý rằng Sở Quy Hoạch cần ít nhất một ngày làm việc để phản hồi.

Property Information

Project address: _____ Blocks/Lot(s): _____

Project Details

UNITS

Owner-occupied Units

Existing: _____ Proposed: _____ Net Change: _____

Rental Units

Existing: _____ Proposed: _____ Net Change: _____

Total Units

Existing: _____ Proposed: _____ Net Change: _____

Units Subject To Rent Control

Existing: _____ Proposed: _____ Net Change: _____

Vacant Units

Existing: _____ Proposed: _____ Net Change: _____

BEDROOMS

Owner-occupied Bedrooms

Existing: _____ Proposed: _____ Net Change: _____

Rental Bedrooms

Existing: _____ Proposed: _____ Net Change: _____

Total Bedrooms

Existing: _____ Proposed: _____ Net Change: _____

Bedrooms Subject To Rent Control

Existing: _____ Proposed: _____ Net Change: _____

To the best of your knowledge, has the property ever had an unauthorized unit? Yes No

Are you currently renting out units on the property? Yes No

Are you currently renting out bedrooms on the property? Yes No

Have you discussed relocation with existing tenants? Yes No

If yes, please attach documentation to this specific application demonstrating compliance with relevant to [Rent Board requirements](#).

If there is only one unit at this property, do the tenants have separate lease agreements with the landlord?

Yes No

Residential Merger
(SUPPLEMENTAL INFORMATION)

Pursuant to Planning Code Section 317(c), any application that would result in the removal of one or more residential units or unauthorized units is required to obtain a Conditional Use Authorization. In addition to filing a Conditional Use Authorization application, this Dwelling Unit Removal application, along with responses to the specific conditional use criteria listed below, as described in Planning Code Section 317(g)(2), must be submitted to the Planning Department

Please note that pursuant to Planning Code Section 317(g)(2), the Planning Commission shall not approve an application for residential merger if any tenant has been evicted pursuant to Administrative Code Sections 37.9(a)(9)-(12), (14) or (17) where the tenant was served with a notice of eviction after December 10, 2013 if the notice was served within 10 years prior to filing the application for merger. Additionally, the Planning Commission shall not approve an application for residential merger if any tenant has been evicted pursuant to Administrative Code Section 37.9(a)(8) where the tenant was served with a notice of eviction after December 10, 2013 if the notice was served within five (5) years prior to filing the application for merger.

Please answer the following questions to determine how the project does or does not meet the Planning Code requirements:

Does the merger of the unit(s) eliminate only owner-occupied housing? Yes No

If yes, for how long was the unit(s) proposed for removal owner-occupied? _____

Will the merger of the unit(s) remove an affordable housing unit as defined in Section 401 of the Planning Code or housing subject to the Rent Stabilization and Arbitration Ordinance? Yes No

If yes, will replacement housing be provided which is equal or greater in size, number of bedrooms, affordability, and suitability to households with children to the units being removed? Yes No

If the unit(s) proposed for removal through the merger was occupied by a tenant or tenants, please specify the date of when it was last occupied: _____

Will the number of bedrooms provided in the merged unit be equal to or greater than the number of bedrooms in the separate units? Yes No

Is the removal of the unit(s) necessary to correct design or functional deficiencies that cannot be corrected through interior alterations? Yes No

If the merger does not involve an unauthorized unit, what is the appraised value of the least expensive unit to be merged? _____

Please include an attachment of the appraisal dated within six months of filing this application.

Residential Conversion
(SUPPLEMENTAL INFORMATION)

Pursuant to Planning Code Section 317(g) (3), the conversion of residential dwelling units to a non-residential use is required to obtain a Conditional Use Authorization.

In reviewing proposals for the conversion of residential dwelling units to other forms of occupancy, the Planning Commission will review the criteria below.

Please answer the following questions to inform the Planning Commission as to how the project does or does not meet the following criteria:

Will the conversion of the unit(s) eliminate only owner-occupied housing? Yes No

If yes, for how long was the unit(s) proposed for removal owner-occupied? _____

Will the conversion of the unit(s) provide desirable new non-residential use(s) appropriate for the neighborhood and adjoining district(s)? Yes No

Is the property located in a district where Residential Uses are not permitted? Yes No

If yes, will the Residential Conversion bring the building closer into conformance with the uses permitted in the zoning district? Yes No

Will the conversion of the unit(s) be detrimental to the City's housing stock? Yes No

Is the conversion of the unit(s) necessary to eliminate design, functional, or habitability deficiencies that cannot otherwise be corrected? Yes No

Will the Residential Conversion remove Affordable Housing, or unit(s) subject to the Rent Stabilization and Arbitration Ordinance? Yes No

Removal of Unauthorized Unit(s)

(SUPPLEMENTAL INFORMATION)

The Planning Commission will consider the following criteria in the review of applications for removal of unauthorized units, pursuant to Planning Code Section 317 (g)(7). Please fill out answers to the criteria below:

Has the Unauthorized Unit been rented within the 10 years preceding the application, excluding any use of the Unauthorized Unit by a blood, adoptive, or step-family relationship, specifically by a grandparent, parent, sibling, child, or grandchild, or the spouse or registered domestic partner of such relations, or by a property owner's spouse or registered domestic partner? Yes No

Please include an attachment detailing the rental history of the unauthorized unit for the past 10 years.

Does the Unauthorized Unit have a history of evictions under Administrative Code Sections 37.9(a) (8)-(12), (14), or (17) within the 10 years preceding the application? Yes No

If yes, please include an attachment with any documentation of the eviction.

Tenancy Affidavit to be Filled out by Owner

If tenant- occupied, project sponsors must verify by check box they understand the following statements:

- Tenants who have occupied a unit for 32 days require a Just Cause for eviction.
- Owner or relative move-ins, demolitions or Substantial Rehabs (with permits in hand) are a Just Cause, however owners are required to give tenants 60 day written notice to move out and provide relocation compensation.
- Making a tenant sign a statement that they “voluntarily agree” to move out in order to stay is not legal. A tenant cannot sign away their rights to a Just Cause.

Signature _____

Name (printed): _____ Date: _____

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- The undersigned is the owner or authorized agent of the owner of this property.
- The information presented is true and correct to the best of my knowledge.
- Other information or applications may be required.
- 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 through completion of construction and in response to the monitoring of any condition of approval.
- 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.

Signature _____

Name (printed): _____ Date: _____

Relationship to Project (i.e. Owner, Architect, etc.): _____

Email: _____ Phone: _____

For Department Use Only — application received by Planning Department.

By: _____ Date: _____