



DWELLING UNIT REMOVAL: MERGER, CONVERSION OR DEMOLITION

INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

ATTENTION: A Project Application must be completed and/or attached prior to submitting this Supplemental Application. See the [Project Application](#) for instructions.

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, with some codified exceptions.

For questions, you can call the Planning counter at 628.652.7300 or email 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.

WHAT IS A DWELLING UNIT REMOVAL APPLICATION?

The Dwelling Unit Removal application is intended for any requests involving the removal of existing housing. This application is designed to determine if the proposed dwelling unit 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. 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 APPLICATION NECESSARY?

The Planning Commission 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. This application is also required when an alteration is considered tantamount to demolition.

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) through 37.9(a)(14) 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 residential 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.

HOUSING CRISIS ACT OF 2019

Effective January 1, 2020, and further amended in 2021, "The Housing Crisis Act of 2019," (HCA) establishes through Government Code Section 66300 (d)1 a statewide "housing emergency" until January 1, 2030. During the housing emergency:

- the Housing Crisis Act suspends certain restrictions on the development of new housing and expedites the permitting of housing;
- the Housing Crisis Act prohibits the demolition of housing. Dwelling unit merger and conversion procedures will not be impacted and continue to require the Planning Commission to grant a Conditional Use Authorization;
- cities and localities in urban areas, such as San Francisco, are generally prohibited from rezoning or imposing new development standards that would reduce the capacity for housing or adopting new design standards that are not objective; and
- the loss of existing housing units (through demolition) is only permitted if the same number of units are created as part of the same development project.

In addition, pursuant to state law, additional conditions shall be applied to dwelling unit removal projects through January 1, 2030, including requirements for replacement units and relocation benefits.

In order to implement these conditions, this application now requires additional information from all applicants related to the occupancy history of existing occupied or vacant rental units. If the applicant affirms that such information is unknown, replacement unit requirements may still apply.

For more information, please see [Planning Director's Bulletin No. 7](#) , available at sfplanning.org.

FEES

Please refer to the [Planning Department Fee Schedule](#) available at www.sfplanning.org. For questions related to the Fee Schedule, you can call the Planning counter at 628.652.7300 or email pic@sfgov.org where planners are able to assist you.

Fees will be determined based on the estimated construction costs. Should the cost of staff time exceed the initial fee paid, an additional fee for time and materials may be billed upon completion of the hearing process or permit approval. Additional fees may also be collected for preparation and recordation of any documents with the San Francisco Assessor-Recorder's office and for monitoring compliance with any conditions of approval.



DWELLING UNIT REMOVAL: MERGER, CONVERSION OR DEMOLITION

SUPPLEMENTAL APPLICATION

Property Information

Project Address:

Block/Lot(s):

Project Details

UNITS	EXISTING:	PROPOSED:	NET CHANGE:
Owner-occupied Units:			
Rental Units:			
Total Units:			
Units subject to Rent Control:			
Vacant Units:			

BEDROOMS	EXISTING:	PROPOSED:	NET CHANGE:
Owner-occupied Bedrooms:			
Rental Bedrooms:			
Total Bedrooms:			
Bedrooms subject to Rent Control:			

QUESTION	YES	NO
Has the property, to the best of your knowledge, ever had an unauthorized unit on the property?		
Are you currently renting out units on the property?		
Are you currently renting out bedrooms on the property?		
Are you actively having relocation conversations with existing tenants? If yes, please attach documentation to this specific application demonstrating compliance with relevant Rent Board requirements .		
If there is only one unit at this property, do the tenants have separate lease agreements with the landlord?		

Unit Specific Information

	UNIT NO.	NO. OF BEDROOMS	GSF	OCCUPANCY	ADDITIONAL INFORMATION
EXISTING				OWNER OCCUPIED RENTAL VACANT*	Ellis Act eviction in past 10 years Rent Control in past 5 years Below-Market Rate in past 5 years
	If vacant, indicate the most recent year occupied:				_____
	Indicate the number of persons in the household, or most recent household in occupancy:				_____ Unknown
	Indicate the approximate income of the current or most recent household in occupancy:				\$_____ Unknown
PROPOSED					

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) through 37.9(a)(14) 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:

DWELLING UNIT MERGER CRITERIA:		YES	NO
1	Does the removal of the unit(s) eliminate only owner-occupied housing? If yes, for how long was the unit(s) proposed for removal owner-occupied? _____ months or years (check one)		
2	Is the removal of the unit(s) and the merger with another intended for owner occupancy?		
3	Will the removal 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? 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		
4	If the unit(s) proposed for removal was occupied by a tenant or tenants, please specify the date of when it was last occupied: _____		
5	Will the number of bedrooms provided in the merged unit be equal to or greater than the number of bedrooms in the separate units?		
6	Is the removal of the unit(s) necessary to correct design or functional deficiencies that cannot be corrected through interior alterations?		
7	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:

DWELLING UNIT CONVERSION CRITERIA:		YES	NO
1	<p>Will the conversion of the unit(s) eliminate only owner occupied housing?</p> <p>If yes, for how long was the unit(s) proposed for removal owner-occupied?</p> <p>_____ months or years (check one)</p>		
2	<p>Will the conversion of the unit(s) provide desirable new non-residential use(s) appropriate for the neighborhood and adjoining district(s)?</p>		
3	<p>Is the property located in a district where Residential Uses are not permitted?</p> <p>If yes, will the Residential Conversion bring the building closer into conformance with the uses permitted in the zoning district?</p> <p>YES NO</p>		
4	<p>Will the conversion of the unit(s) be detrimental to the City's housing stock?</p>		
5	<p>Is the conversion of the unit(s) necessary to eliminate design, functional, or habitability deficiencies that cannot otherwise be corrected?</p>		
6	<p>Will the Residential Conversion remove Affordable Housing, or unit(s) subject to the Rent Stabilization and Arbitration Ordinance?</p>		

DWELLING UNIT DEMOLITION

(SUPPLEMENTAL INFORMATION)

Pursuant to Planning Code Section 317(d), residential demolition is subject to a Conditional Use Authorization or will qualify for administrative approval.

Administrative approval only applies to single-family residential buildings that are found to be unsound housing [Sec. 317(c)(5) & (d)(3)].

The Planning Commission will consider the following criteria in the review of residential demolitions. Please answer the following questions to inform the Planning Commission as to how the project does or does not meet the following criteria, as described in Planning Code Section 317(g)(5):

EXISTING VALUE AND SOUNDNESS		YES	NO
1	Is the property free of a history of serious, continuing code violations?		
2	Has the housing been maintained in a decent, safe, and sanitary condition?		
3	Is the property a <i>historical resource</i> under CEQA?		
RENTAL PROTECTION		YES	NO
4	Does the Project convert rental housing to other forms of tenure or occupancy?		
5	Does the Project remove rental units subject to the Rent Stabilization and Arbitration Ordinance or affordable housing?		
PRIORITY POLICIES		YES	NO
6	Does the Project conserve existing housing to preserve cultural and economic neighborhood diversity?		
7	Does the Project conserve neighborhood character to preserve neighborhood cultural and economic diversity?		
8	Does the Project protect the relative affordability of existing housing?		
9	Does the Project increase the number of permanently affordable units as governed by Section 415?		
REPLACEMENT STRUCTURE		YES	NO
10	Does the Project locate in-fill housing on appropriate sites in established neighborhoods?		
11	Does the Project increase the number of family-sized units on-site?		
12	Does the Project create new supportive housing?		
13	Is the Project of superb architectural and urban design, meeting all relevant design guidelines, to enhance the existing neighborhood character?		
14	Does the Project increase the number of on-site dwelling units?		
15	Does the Project increase the number of on-site bedrooms?		
16	Does the Project maximize density on the subject lot?		
17	If the building is not subject to Rent Stabilization and Arbitration Ordinance or affordable housing, will the Project replace all of the exiting units with new dwelling units of similar size and with the same number of bedrooms?		

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:

DWELLING UNIT REMOVAL OF UNAUTHORIZED UNIT(S) CRITERIA:		YES	NO
1	<p>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?</p> <p>Please include an attachment detailing the rental history of the unauthorized unit for the past 10 years.</p>		
2	<p>Does the Unauthorized Unit have a history of evictions under Administrative Code Sections 37.9(a)(8)-(12) or 37.9(a)(14)-(16) within the 10 years preceding the application?</p> <p>If yes, please include an attachment with any documentation of the eviction.</p>		

TENANCY AFFIDAVIT TO 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:

- 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 through completion of construction 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.

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: _____