

Development Services Department

Industry Workshop
**Condominium Conversion
Process**

March 10, 2005



Presentation Overview

- Approval Process
- Map Wavier process
- **Tenant Rights**
- Notice Requirements
- Inclusionary Housing
- Common Processing Pitfalls
- Future Changes
- Questions



Condo Approval Process

City of San Diego

Subdivision under State Map Act

Units	Discretionary	Ministerial
4 or less	Tentative Map (Process 3)	Parcel Map
4 or less	Map Waiver (Process 3)	Certificate Of Compliance
5 or more	Tentative Map (Process 4)	Final Map



Map Waiver Criteria

- 4 units or less
- 5 + Units, New construction on 1 lot
- Complies with existing zone or is “Previously Conforming”
- Requires no new infrastructure
- Existing parcels are legal and monumented



Map Waiver Process

- **Same Notice as TM**
- **Review by Community Planning Group**
- **“Process 3” Public Hearing**
- **Appealable to Planning Commission**
- **Certificate of Compliance if map waived**



Concurrent Processing

- **Environmental Review**
- **Construction Permits**
- **Consolidation Maps**



Tenant Rights

- **Notice**
- **Relocation Benefits**
- **Right to Purchase**



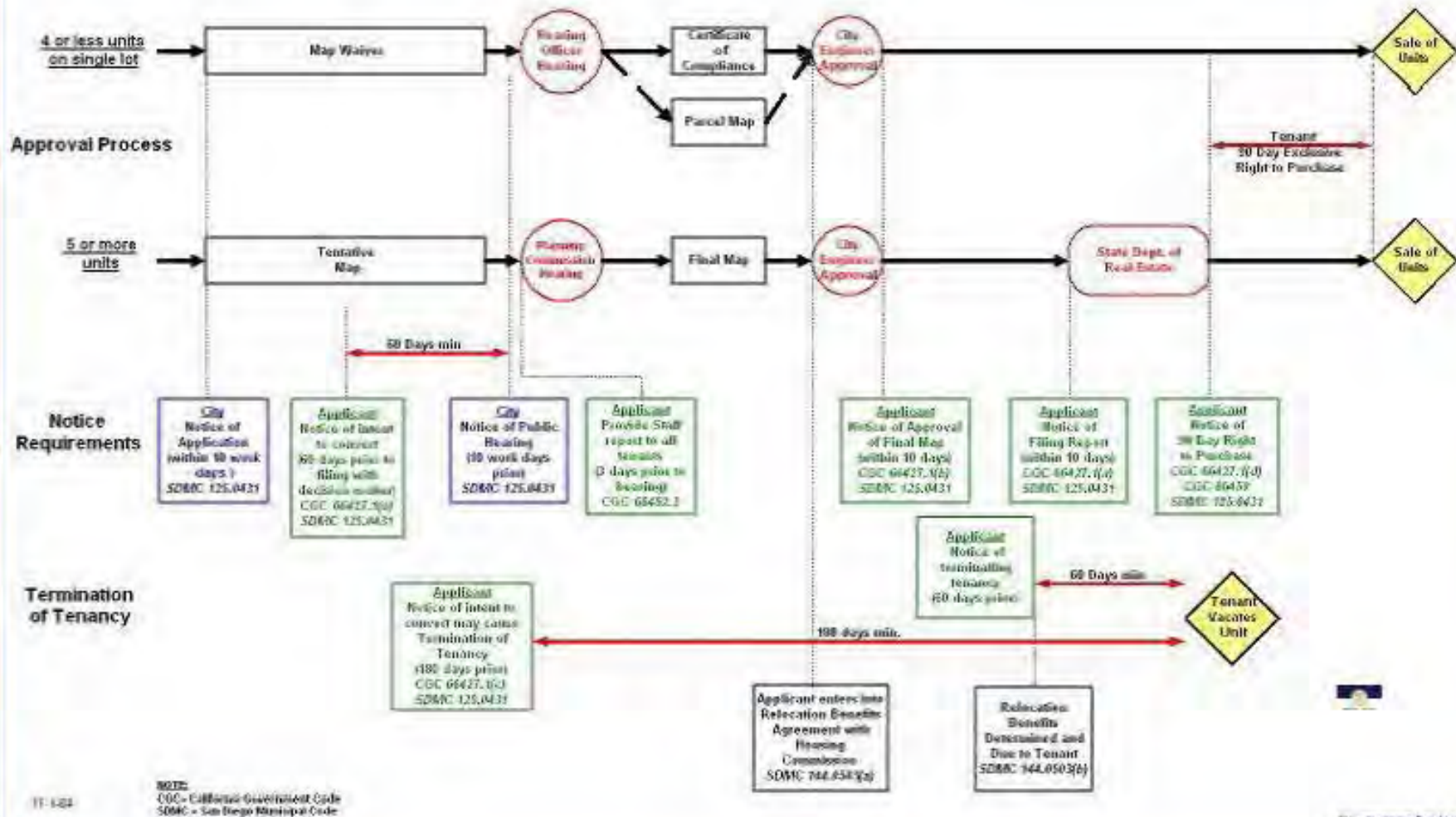
Noticing Requirements

- **Notice intent 60 days before filing**
- **Notices to existing and prospective tenants**
- **Copy of Staff Report to Decision Maker**
- **10 day notice of Final Map**
- **10 day notice of DRE report**
- **180 day notice prior to end of tenancy**
- **Notice of 90 day exclusive right to purchase**



Note:
This chart represents the most common circumstances for processing a typical Condominium Conversion and does not include all possible sequences of events.

Condominium Conversion Process



Sample Notices

Sample Notice

This is a sample notice for the purpose of satisfying the City in order to make the findings for a Tentative Map or Map Wavier in accordance with CGC 66452.8 and SDMC 125.0431. The City makes no assertion as to the legality of the form for purpose of any court action.

Prospective Tenant Notice of Intent to Convert to Condominiums

"To the prospective occupant(s) of _____:
(address)

The owner(s) of this building, at _____ (address), has filed or file a tentative map with the City of San Diego to convert this building to a condominium. No units may be sold in this building unless the conversion is approved by the city and until after report is issued by the Department of Real Estate. If you become a tenant of this building, you shall be given notice of each hearing which notice is required pursuant to Sections 66451.3 and 66452.5 of the Government Code, and you have the right to appear and be heard at any such hearing.

Should the condominium conversion project be approved, tenants are required to vacate the premises.

(signature of owner or owner's agent) _____ (dated)

I have received this notice on _____ (date)

(prospective tenant's signature)

Sample Notice

This is a sample notice for the purpose of satisfying the City in order to make the findings for a Tentative Map or Map Wavier in accordance with CGC 66427.1(a) and SDMC 125.0431. The City makes no assertion as to the legality of the form for purpose of any court action.

Tenant 60 Day Notice of Intent to Convert to Condominiums

"To the occupant(s) of _____
(address)

The owner(s) of this building, at _____ (address), plans to file a Tentative Map or Map Wavier with the City of San Diego to convert this building to a condominium project.

You shall be given notice of each hearing for which notice is required pursuant to Sections 66451.3 and 66452.5 of the Government Code, and you have the right to appear and the right to be heard at any such hearing.

Should the condominium conversion project be approved, tenants may be required to vacate the premises.

(signature of owner or owner's agent)

(date) "



Notice Certifications

City of San Diego
 Development Services
 Project Management Division
 1222 First Ave., 4th Floor
 San Diego, CA 92101
 (619) 445-8000

Certification of Tenant Notice for Condominium Conversion Map

I hereby certify that the "NOTICE" required under California Government Code Section 95403.1 has been given to each tenant of the project applying for the tentative map of this project.

The "NOTICE" was mailed or delivered on (date) _____ (MM/DD/YYYY).

The "NOTICE" was mailed or delivered 60 days prior to the filing of a tentative map or map amendment and it is found that any of the information is incorrect, the project application body provided by the owner, and the project may have to be returned after the resolution.

Signature: _____

Attachments:
 1. List of Names/Addresses of persons receiving notice.
 2. Copy of Notice/Notice of Intent to Convert to Condominiums.

This information is available in alternative formats for persons with disabilities. We have it on the World Wide Web at: www.sandiego.gov/development-services

City of San Diego
 Development Services
 Project Management Division
 1222 First Ave., 4th Floor
 San Diego, CA 92101
 (619) 445-8000

Staff Report for Condominium Conversion Project Certification

Project No.:	Project Address:	Special/Adm. Hearing Date:
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I hereby certify that, as required under California Government Code Section 95403.1, a copy of the Staff Report for the Public Hearing for the project referenced above has been served on each tenant of the proposed condominium conversion project. The report was served at least three days prior to the Public Hearing for the tentative map or map amendment for condominium conversion project.

I understand that if it is found that any of the information is incorrect, any public hearing conducted for the project application may be declared null and void by the decision-making body or by the courts and the applicant would have to be notified and the processing fee/development fee paid again.

Applicant Name: _____

Signature: _____ Date: _____

Attachments:
 List of Names/Addresses of persons receiving report and date served.

This information is available in alternative formats for persons with disabilities. We have it on the World Wide Web at: www.sandiego.gov/development-services



Tenant Relocation Benefits

Effective after Feb 6, 2004

- **Vacancy rate less than 7%**
- **All tenants with income below AMI**
- **3 months rent**
- **Administered by Housing Commission**



Homebuyer Programs

- Free home buying counseling class at Community Housing Works every month
- Deferred Second Trust Deed Loans
- Mortgage Credit Certificates
- Down Payment/Closing Cost Assistance Grant



Housing Commission Contacts

- **Inclusionary Housing;**

Peter Armstrong at 619-578-7556 or petera@sdhc.org

- **Eligibility Determination/Tenant Info:**

Irma Curtis at 619-578-7592 or irmac@sdhc.org

- **All other information:**

Meredith Bryant at 619-578-7591 or meredith@sdhc.org

www.sdhc.net



Inclusionary Housing

Effective after Feb. 6, 2004

- **10% of units are Affordable**
(at or below Avg. Median Income)
- **Provide off site equivalent**
- **In-lieu Fee**
 - \$0.875 /sq foot (<10 units)
 - \$1.75 /sq foot (10+ units)



Common Condo Pitfalls

- **Tenant Labels Not Provided**
- **Notice Language Incomplete**
- **Tenants Noticed Improperly**
- **No Presentation At Planning Group**
- **Underground Waiver request**
- **Tenant Roster**



Future Changes

Joint Workshop

**Land Use and Housing Committee
Planning Commission
Report # 05-060 (posted Online)**

March 9, 2005

2:00 pm

(Video available Online)

