

Condominium Conversion Tenant Notification

The applicant for project shall provide a copy of each of the following notices and evidence of receiving these notices by tenants.

- Notice 1: Notice to Existing Tenant of Intent to Convert
 - Notice 2: Tenant Notice of Public Hearing on Conversion (Form B and C to be attached)
 - Notice 3: Tenant Receipt of Staff Report to Planning Commission
 - Notice 4: Tenant Notice of Approval of Tentative Map for 4 or less units (Form B to be attached).
 - Notice 5: Tenant Notice of Public Hearing on Final Map (Form B to be attached).
 - Notice 6: New Tenant Disclosure
 - Notice 7: Tenant Notice of Right of First Refusal
 - Notice 8: Tenant Notice of 180-day Termination of Tenancy
 - Notice 9: Tenant Notice of Issuance of Final Report (5 units or more) by Department of Real Estate
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- Form A: Receipt by Tenants of Notice of Intent to Convert
 - Form B: Tenant Rights During Conversion
 - Form C: Grounds for Denial

66427.1 – SUBDIVISION MAP ACT, GOVERNMENT CODE
20.32.040.B - LONG BEACH SUBDIVISION REGULATION

**60 DAY NOTICE TO EXISTING TENANT(S)
OF INTENT TO CONVERT**

To the Occupant(s) of:

(address)

Within sixty days the owner(s) of this building, plan(s) to file a Tentative Map with the City to convert this building to a (condominium, community apartment, or stock cooperative 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.

(Signature of Owner or Owner's Agent)

(Date)

NOTE: RECEIPT BY TENANTS OF NOTICE OF INTENT TO CONVERT MUST BE SUBMITTED WITH PLANNING PERMIT APPLICATION FOR CONVERSION (FORM A)

**10-DAY TENANT NOTICE OF PUBLIC HEARING
ON CONVERSION**

TO OCCUPANTS OF _____

This is to inform you that the property owner of this apartment building has applied for condominium conversion. This notice is to be provided ten (10) days prior to the hearing. The public hearing for this application is tentatively scheduled to go before the Planning Commission on _____. The hearing will take place on the first floor of City Hall in the City Council Chambers. City Hall is located at 333 West Ocean Boulevard in the City of Long Beach.

The Condominium Conversion process is complicated and can be very lengthy. Generally, the time to complete the process can range from six months to two years. The estimated time before the conversion, if approved, would result in the tenant's eviction is _____.

The City requires that you be given an explanation of your rights and benefits if the conversion is approved and the grounds upon which the Planning Commission can deny the request for conversion. In accordance with that requirement, an *Explanation of Tenants Rights and Benefits* (Form B) and *Grounds for Denial by the Planning Commission* (Form C) should be attached to this notice.

***TO BE COMPLETE THIS FORM MUST INCLUDE AN EXPLANATION OF
TENANTS RIGHTS (FORM B) AND GROUNDS FOR DENIAL (FORM C)***

NOTICE MUST BE DELIVERED TO EACH TENANT 10 DAYS PRIOR TO PUBLIC HEARING DATE

Section 20.32.180 – Minimum Size. No conversion shall be permitted if more than 15% of the total number of units in the conversion have a unit size less than 450 square feet.

Section 20.32.170 – Consistency with the General Plan. The conversion of all projects for which building permits were issued after August 4, 1978, shall be consistent with the General Plan. The Planning Commission or City Council on appeal, may waive consistency with the General Plan if it finds that adequate provisions are made for a long-term maintenance of the building.

Section 20.32.170 – Energy Conservation Requirements. Certain minimum energy conservation standards shall be met or exceeded for all conversions prior to approval of the final map.

Section 20.32.150 – Building Security. Certain minimum building security provisions shall be provided for each unit.

Sections 20.32.130 & 20.32.140 – Parking. No less than one independently accessible parking space shall be permanently available to each dwelling unit. Where units are 2 or more bedrooms that parking requirement is 1.25 spaces per unit.

Section 20.32.120 – Combustion detection equipment. Combustion detection equipment must be provided each unit.

Section 20.32.110 – Sound Attenuation. Minimum standards of sound attenuation must be met.

Section 20.32.100 – Major System Correction. Any corrections or repairs reasonably necessary, to the major systems, within the next five years shall be provided for prior to approval of final map.

Section 20.32.090 – Code Compliance. Any building or safety violations relating to plumbing, fire, housing, electrical, earthquake, and property maintenance codes which may cause health or safety hazards shall be corrected prior to approval of the final map.

Section 20.32.085 – Harassment. Any action by the landlord which is intended to cause the tenant to quit the premises prior to the 180 day notice, including unreasonable rent increases, shall be considered harassment and shall be grounds for denial of the final map.

Section 20.32.040 & 20.32.060 – Tenant Noticing. Any failure to comply with the requirements for tenant noticing could result in denial of the final map.

Section 20.32.050 – Tenant Option to Purchase. Failure to provide each tenant an exclusive right to contract for the purchase of an occupied unit, or other available units upon the same terms and conditions that such units will be initially offered to the general public for 90 days or more could result in denial of the final map.

TO BE COMPLETE THIS FORM MUST INCLUDE AN EXPLANATION OF TENANTS RIGHTS

Other than the above, the Planning Commission and the City Council have no discretionary grounds to deny a request for conversion if the building complies with all physical requirements.

Tenant's Rights –

Right to know that no evictions will occur as a result of this conversion for at least one hundred-eighty days. The estimated length of time before the conversion, would result in the tenant's eviction, is

_____.

Right to noticing and tenant option to purchase. According to Section 20.32.040 of the Long Beach Municipal Code each tenant and each prospective tenant shall receive all applicable notices, documents, and rights. These notices are to occur as follows:

- Each tenant shall be given written notice of the intent to seek a conversion a minimum of sixty days prior to the filing of a tentative (or waived parcel) map for the subject rental property.
- Each tenant shall be given written notice of the public hearing at least ten days prior to the public hearing on the tentative (or waived parcel) map before the Planning Commission.
- A copy of the written staff report to the Planning Commission on the proposed conversion shall be delivered to each tenant of the subject property at least three days prior to the hearing date.
- Each tenant shall receive written notification within ten days of approval of a tentative map for the proposed conversion.
- Each tenant shall receive written notification at least ten days prior to consideration of final map approval for the subject conversion by the City Council or Director of Public Works.
- For projects with five or more units, each tenant shall receive written notice within ten days of the issuance of the final subdivision public report by the State Department of Real Estate, if desired.
- Notice of Termination of Tenancy no less than one-hundred and eighty days prior to eviction.

Relocation Benefits (chapter 21.60) are available to qualifying tenants:



- Very low and low income households displaced shall be entitled to \$3,195 (for calendar year 2002) in relocation costs.
- Very low and low income households with a handicapped member displaced shall be entitled to a replacement of structural modifications that the household previously paid for at the vacated premises of up to an additional \$3,195 (for calendar year 2002).

The total amounts of benefit shall be adjusted based on the Consumer Price Index between January 1, 1991, and January 1st of the year in which the application for Final Map is approved by the City.

66452.9 – SUBDIVISION MAP ACT, GOVERNMENT CODE
20.32.040.D - LONG BEACH SUBDIVISION REGULATION

TENANT RECEIPT OF PLANNING COMMISSION REPORT

TO OCCUPANTS OF _____

The above referenced Municipal Code requires that you be provided a copy of the staff report that has been prepared for the Planning Commission for their review in regard to the pending conversion action on the above referenced building. Please place below your signature and unit number indicating you are in receipt of the Staff Report as indicated above.

UNITS #

SIGNATURE OF TENANTS

THE PLANNING COMMISSION REPORT IS TO BE DELIVERED TO EACH TENANT AT LEAST THREE (3) DAYS PRIOR TO HEARING DATE. A COPY OF THIS TENANT RECEIPT IS TO BE SUBMITTED TO THE PLANNING BUREAU

**10-DAY TENANT NOTICE OF APPROVAL OF
TENTATIVE MAP NO. _____
(FOUR UNITS OR LESS)**

TO OCCUPANTS OF _____

The Planning Commission of the City of Long Beach met on _____ and approved the condominium conversion and Subdivision Map for the above referenced property.

During the 180-day conversion process the following applies:

1. Notice indicating the start of the 180-day conversion process and also stating that no eviction will occur as a result of this conversion for at least 180 days.
2. A "First Right of Refusal" notice will be delivered that offers you the right for 90 days to decide if you wish to purchase your unit on the same terms and conditions that are offered to the general public.
3. Notice 10 days prior to final approval of the conversion with an estimate of length of time prior to evictions.
4. If the above referenced property has 5 or more units and each tenant requests it, the subdivider is required to provide each tenant with a copy of the Final Public Report 10 days prior to filing it with the Department of Real Estate.
5. If the above referenced property has 5 or more units the subdivider is required to honor each tenant's request for a copy of the Final Public Report within 5 days of its issuance.

***TO BE COMPLETE THIS FORM MUST INCLUDE AN EXPLANATION OF
TENANTS RIGHTS (FORM B)***

NOTICE MUST BE DELIVERED TO EACH TENANT WITHIN 10 DAYS OF APPROVAL OF TENTATIVE MAP

NOTICE 4

If you were not a tenant at the time of the issuance of the *Notice of Intent to Convert* and did not receive written notice of the proposal conversion prior to entering into a rental or lease agreement, you are entitled to the following pursuant to State of California Subdivision Map Acts Section 64452.8 (c):

1. Actual moving expenses incurred when moving from the subject property, but not to exceed five hundred dollars (\$500).
2. The first month's rent on the tenant's new rental unit, if any, immediately after moving from the subject property, but not to exceed five hundred dollars (\$500).

The following relocation benefits are available to qualifying tenants:

1. Very low and low-income households displaced shall be entitled to two thousand, five hundred dollars (\$2,500) in relocation costs.
2. Very low and low income households with a handicapped member displaced shall be entitled to a replacement of structural modification that the household previously paid for at the vacated premises up to a maximum of an additional two thousand and five hundred dollars.

** The total amounts of benefit shall be adjusted based on the Consumer Price Index between January 1, 1991 and January 1st of the year in which the application for final tract map is approved by the City.

Note: If the property owner does not offer the units for sale to the tenants within 2 years approval of the Final Map, which occurred on _____, 20____, the minimum 180 day notice prior to the eviction, including a ninety (90) day exclusive option to purchase period shall be provided to each tenant prior to eviction, when the owner decides to offer the units for sale. Please see reverse side of this notice for a full disclosure of tenant's rights during the conversion process.

By: _____ Date: _____
(Subdivider's signature)

By: _____ Date: _____
(Tenant's signature)

Unit No.: _____

66427.1 – SUBDIVISION MAP ACT, GOVERNMENT CODE
20.32.040.F - LONG BEACH SUBDIVISION REGULATION

**10-DAY TENANT NOTICE OF CONSIDERATION OF
FINAL MAP NO. _____**

Dear Tenant:

This is to inform you that the property owner of this building has applied for approval of a SUBDIVISION MAP for the property located at _____.

Consideration of this MAP is scheduled before the City Council on _____. The City Council meets in City Council Chambers, which are located at the Long Beach City Hall, First Floor 333 West Ocean Boulevard, Long Beach. You have the right to appear and be heard on this hearing.

City Council will approve this MAP if it finds that all conditions of approval for this proposed condominium, as required by approval of the Tentative Map, have been complied with in full.

We, the undersigned, do/do not intend to start our sales program within two (2) years from the date of approval noted above. (Applicable, if sales program begins during the first two years after approval of SUBDIVISION MAP – Estimated length of time prior to eviction is: _____.)

Upon commencement of our sales program, all tenants' rights and benefits shall be provided.

By: _____ Date: _____
(Subdivider's Signature)

I have received this notice on _____, 20 _____.

By: _____ Date: _____
(Tenant's Signature)

Unit No.: _____

***TO BE COMPLETE THIS FORM MUST INCLUDE AN EXPLANATION OF
TENANTS RIGHTS (FORM B)***

NEW TENANT DISCLOSURE

To the prospective tenant of _____:

The owner(s) of the above referenced building(s) have filed or plan to file an application with the City of Long Beach to convert this building to _____.

No units may be sold in this building unless the conversion is approved by the City and until after a public report (for projects with 5 or more units) is issued by the Department of Real Estate.

If you become a tenant of this building, you shall be given notice of each hearing for which a notice is required. Pursuant to Sections 66451.3 and 66452.5 of the Government Code, you have the right to appear and the right to be heard at any such meeting. Pursuant to Section 66452.8(c), you will not be entitled to any relocation benefits by virtue of having received this notice.

By: _____ Date: _____

I, _____, the tenant occupying unit _____, received this notice on _____, and by my signature understand that this building may be converted to condominiums at some future date.

66427.1 (d) – SUBDIVISION MAP ACT, GOVERNMENT CODE
20.32.050 - LONG BEACH SUBDIVISION REGULATION

RIGHT OF FIRST REFUSAL

The undersigned owner of the building, in which you reside as a tenant, has received the *Final Public Report* from the California Department of Real Estate. In accordance with the Rules and Regulations of the State of California, you are hereby granted a "First Right of Refusal." This "First Right" permits you to purchase your unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to you, before it is offered to the general public or any other tenant in the project. This right shall run for a period of ninety (90) days from the date of approval of final map (for projects of 4 or fewer units); or from the date of issuance of the final subdivision report (for projects of 5 or more units) unless you waive this right.

You should indicate below whether you are interested in purchasing a/the unit or not. If you are interested in purchasing a/the unit, you must obtain a copy of the public report and sign a receipt for it before any discussion of purchase price or terms can take place in accordance with Department of Real Estate Regulations.

In the event that you do not respond to this letter, or if you indicate that you do not wish to purchase your unit, this letter is a notice of termination of tenancy and shall be effective ninety (90) days from the date of this letter. If you should move prior to the expiration of this notice, your action will be considered to be a waiver of your "Right of First Refusal" and the unit will be made available for sale to the general public.

I hereby certify that as owner of the project, I have submitted this letter by mail or in person to all tenants of _____, on _____, and that the ninety (90) day period shall expire on _____, 20_____.

By: _____

Yes, **I am** interested in purchasing my unit. Please furnish me a copy of the *Final Public Report*, and I will sign a receipt for it.

TENANT DATE TENANT DATE

I have received a copy of this letter and understand all of my rights. **I am not** interested in purchasing my unit and hereby waive my "Right to First Refusal."

TENANT DATE TENANT DATE

66427.1 (c) – SUBDIVISION MAP ACT, GOVERNMENT CODE
20.32.040.H - LONG BEACH SUBDIVISION REGULATION

180-DAY TERMINATION OF TENANCY

TO OCCUPANTS OF _____

You are hereby given 180-day notice of **termination of tenancy** due to the conversion of this building.

During this 180-day period the following will occur:

1. No eviction will occur as a result off this conversion.
2. A “First Right of Refusal” notice will be delivered that offers you the right for 90 days to decide if you wish to purchase your unit on the same terms and conditions that are offered to the general public.
3. If you decide not to purchase your unit you must vacate on or before _____, 20____.

Note: If the property owner does not offer the units for sale to the tenants within 2 years approval of the Final Map, which occurred on _____, 20____, the minimum 180 day notice prior to the eviction, including a ninety (90) day exclusive option to purchase period shall be provided to each tenant prior to eviction, when the owner decides to offer the units for sale.

By: _____ Date: _____
(Subdivider’s signature)

By: _____ Date: _____ Unit No.: _____
(Tenant’s signature)

I do not wish to receive the above-referenced report.

By: _____ Date: _____ Unit No.: _____

NOTICE 9

66427.1 (a) – SUBDIVISION MAP ACT, GOVERNMENT CODE
20.32.040.G - LONG BEACH SUBDIVISION REGULATION

**ISSUANCE OF THE FINAL PUBLIC REPORT
BY DEPARTMENT OF REAL ESTATE (DRE)
*For Projects with 5 or More Units***

TO OCCUPANTS OF _____

The undersigned is aware that the Subdivider must furnish a copy of the *Final Public Report* issued by the DRE if requested.

I, the undersigned

Do wish to receive the above-referenced report.

By: _____ Unit No.: _____

Date: _____

Do not wish to receive the above-referenced report.

By: _____ Unit No.: _____

Date: _____

(To be delivered to each tenant within ten (10) days of issuance of Public Report)

**RECEIPT BY TENANTS OF NOTICE OF INTENT
TO CONVERT CONDOMINIUMS**

Unit No.

Tenant Signature

_____	_____
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TO BE SUBMITTED WITH CONDO CONVERSION APPLICATION

TENANT RIGHTS DURING CONVERSION

Pursuant to Chapter 20.32 of the Municipal Code, tenants have the following rights during condominium, community apartment project and stock cooperative conversions:

***Tenant Right* to know the estimated length of time before the conversion would result in the tenant's eviction. In this case, the estimated time prior to eviction is _____.**

***Tenant Right* to noticing. According to Section 20.32.040 of the Long Beach Municipal Code, each tenant and each prospective tenant shall receive all applicable notice and documents. These notices are to occur as listed below.**

Each tenant shall be given written notice of the intent to seek a conversion a minimum of sixty days prior to the filing of a tentative (or waived parcel map) for the subject rental property.

Each tenant shall be given written notice of the public hearing at least ten days prior to the public hearing on the tentative (or waived parcel) map before the Planning Commission.

A copy of the written staff report to the Planning Commission on the proposed conversion shall be delivered to each tenant of the subject property at least three days prior to the hearing date.

Each tenant shall receive written notification within ten days of approval of a tentative map for the proposed conversion.

Each tenant shall receive written notification at least ten days prior to consideration of final map approval for the subject conversion by the City Council or Director of Public Works.

For projects with five or more units, each tenant shall receive written notice within ten days of the issuance of the final subdivision public report by the State Department of Real Estate, if desired.

Notice of Termination of Tenancy no less than one hundred and eighty days prior to eviction.

Anyone not a tenant at the time of the issuance of the 60-day notice labeled "Notice of Intent to Convert t- 60 Day Notice to Existing Tenant(s) to Convert," who did not receive written notice of the proposed conversion prior to entering into a rental or lease agreement, may be entitled to certain rights and benefits, pursuant to State of California Subdivision Map Acts Section 66452.8 (c)

During the one hundred and eighty days (180) following approval the *Tenant* has a *Right* to be offered a "First Right of Refusal."

Qualifying *Tenants* may have a *Right* to relocation benefits. Those benefits may include actual moving expenses incurred when moving from the subject property, but not to exceed five hundred dollars (\$500.00*). Those benefits may include the first month's rent on the tenant's new rental unit, if any, immediately after moving from the subject property, but not to exceed five hundred dollars (\$500.00*). Very low and low income households displaced shall be entitled to thirty-one hundred and ninety-five dollars (\$3,307.00*) in relocation costs. Very low and low income households with a handicapped member displaced shall be entitled to a replacement of structural modification that the household previously paid for at the vacated premises up to a maximum value of an additional thirty-one hundred and ninety-five dollars (\$3,307.00*).

*** The total amounts of benefits shall be adjusted based on the Consumer Price Index between January 1, 1991, and the January 1st of the year in which the City approves the application for Final Tract Map. This figure represents benefits in year 2003.**

GROUNDS FOR DENIAL

The intent of Chapter 20.32 of the Subdivision Regulations that govern conversions is to provide increased opportunities for ownership for all segments of the population. Therefore, such conversions shall be permitted, provided that they shall comply with the action and minimum standards set forth in this Section for the class of conversion proposed. Those minimum standards represent the grounds upon which the Planning Commission could deny the conversion request and include the following:

Section 20.32.180 – Minimum Size. No conversion shall be permitted if more than 15% of the total number of units in the conversion have a unit size less than 450 square feet.

Section 20.32.170 – Consistency with the General Plan. The conversion of all projects for which building permits were issued after August 4, 1978, shall be consistent with the General Plan. The Planning Commission or City Council on appeal, may waive consistency with the General Plan if it finds that adequate provisions are made for a long-term maintenance of the building.

Section 20.32.160 – Energy Conservation Requirements. Certain minimum energy conservation standards shall be met or exceeded for all conversions prior to approval of the final map.

Section 20.32.150 – Building Security. Certain minimum building security provisions shall be provided for each unit.

Section(s) 20.32.130 & 20.32.140 – Parking. No less than one independently accessible parking space shall be permanently available to each dwelling unit. Where units are 2 or more bedrooms that parking requirement is 1.25 spaces per unit.

Section 20.32.120 – Combustion detection equipment. Combustion detection equipment must be provided each unit.

Section 20.32.110 - Sound Attenuation. Minimum standards of sound attenuation must be met.

Section 20.32.100 - Major System Correction. Any corrections or repairs reasonably necessary, to the major systems, within the next five years shall be provided for prior to approval of final map.

Section 20.32.090 – Code Compliance. Any building or safety violations relating to plumbing, fire, housing, electrical, earthquake, and property maintenance codes which may cause health or safety hazards shall be corrected prior to approval of the final map.

Section 20.32.085 – Harassment. Any action by the landlord which is intended to cause the tenant to quit the premises prior to the 180 day notice, including unreasonable rent increases, shall be considered harassment and shall be grounds for denial of the final map.

Section(s) 20.32.040 & 20.32.060 – Tenant Noticing. Any failure to comply with the requirements for tenant noticing could result in denial of the final map.

Section 20.32.050 – Tenant Option to Purchase. Failure to provide each tenant an exclusive right to contract for the purchase of an occupied unit, or other available units upon the same terms and conditions that such units will be initially offered to the general public for 90 days or more could result in the denial of the final map.

Other than the above, neither the Planning Commission nor the City Council have discretionary grounds to deny a request for Conversion, if the building complies with all physical requirements.