



Owner's Certification/Affidavit

CITY OF MANHATTAN BEACH

1400 Highland Avenue, Manhattan Beach, CA 90266

COMMUNITY DEVELOPMENT DEPARTMENT

www.manhattanbeach.gov/planning (310) 802-5520

APN: _____

Address: _____

I _____, hereby certify that I am legally authorized to sign on behalf of the owner(s) or ownership entity ("Owner") for the above-described property ("Property") in the City of Manhattan Beach, as evidenced by the separate instrument(s) attached herewith in accordance with the City's Ownership Information Requirements (attached hereto).

Owner hereby acknowledges that pursuant to California Government Code Section 66300.6, Owner is obligated to "replace" existing residential units with deed-restricted affordable units if the Property contains "protected units," as those terms are defined in Government Code Section 66300.5, and that existing occupants are entitled to certain rights under state law.

Owner also acknowledges that all occupants of protected units have the right to remain in their units until six (6) months before the start of construction activities, and that the project proponent shall provide existing occupants with written notice of the planned demolition, the date the occupants must vacate, and their rights under California Government Code Section 66300.6(b)(4). Notice shall be provided by the owner at least six months in advance of the date that existing occupants must vacate. Owner further acknowledges that any existing occupants that are required to leave their units shall be allowed to return at their prior rental rate if the demolition does not proceed and the property is returned to the rental market.

Owner further acknowledges that all Lower Income Household occupants of protected units are also entitled to:

(a) Relocation benefits equivalent to the relocation benefits required to be paid by public entities pursuant to Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 of the Government Code, and any implementing regulations; and

(b) A right of first refusal ("Right to First Refusal") to a comparable unit (same

bedroom count) at the new project following completion and that, depending on income level at the time of lease up or sale of the new project, as applicable, may be entitled to return at an affordable rent per California Health & Safety Code Section 50053 or an affordable housing cost pursuant to California Health & Safety Code 50052.5, unless otherwise exempt pursuant to California Government Code Section 66300.6(b)(4)(B).

Owner acknowledges and will offer the right of first refusal to qualified households, as required by state law.

Owner hereby certifies that Owner has provided the “REPLACEMENT UNIT DETERMINATION (RUD) FORM - REQUEST FOR INFORMATION & TENANT INFORMATION PACKET” (“Packet”) to each and every adult member of each and every current and former household that has rented a residential dwelling unit at the Property in the last five years in accordance with the City’s “Replacement Unit Determination - Tenant Notification Requirements”.

Owner must complete and initial **one** of the following two paragraphs:

Owner hereby certifies that **none** of the units at the Property are or were subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income within the past five years. **Owner Initials:** ____

Alternative: Owner hereby certifies that ____ [indicate number] of the units at the Property are or were subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income within the past five years. **Owner Initials:** ____

Owner must complete and initial **one** of the following two paragraphs:

Owner hereby certifies that **none** of the units at the Property are or were subject to any form of rent or price control through a public entity’s valid exercise of its police power within the past five years. **Owner Initials:** ____

Alternative: Owner hereby certifies that ____ [indicate number] of the units at the Property are or were subject to any form of rent or price control through a public entity’s valid exercise of its police power within the past five years. **Owner Initials:** ____

Owner must complete and initial **one** of the following two paragraphs

Owner hereby certifies that **none** of the units at the Property were withdrawn from rent or lease in accordance with Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 within the past 10 years. **Owner Initials:** ____

Alternative: Owner hereby certifies that ____ [indicate number] of the units at the Property were withdrawn from rent or lease in accordance with Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 within the past 10 years.

Owner Initials: ____

Owner must check **one** of the following:

☐ Owner hereby certifies that **all** of the residential dwelling units at the Property have been **vacant** for **at least five years**. Appropriate evidence to support the claim of vacancy in accordance with the City's requirements must be attached.

☐ Owner hereby certifies that the Packet was provided to each and every adult member of each and every current and former household that has rented a residential dwelling unit at the Property in the last five years in accordance with the City's "Replacement Unit Determination - Tenant Notification Requirements", **and none of the current or former tenants responded**.

☐ Owner hereby certifies that the Packet was provided to each and every adult member of each and every current and former household that has rented a residential dwelling unit at the Property in the last five years in accordance with the City's "Replacement Unit Determination - Tenant Notification Requirements", **and received only the Tenant Information Packets provided as attachments with this Owner Certification / Affidavit**. Please note that all completed Tenant Information Packets must be attached with this Affidavit.

I declare under penalty of perjury that the facts, statements, and information presented in this document are true and correct to the best of my knowledge and belief.

Signature

Date

When completed, provide this form to the City at the following address:

CITY OF MANHATTAN BEACH COMMUNITY DEVELOPMENT
PLANNING DIVISION - REPLACEMENT UNIT DETERMINATION
1400 HIGHLAND AVENUE
MANHATTAN BEACH, CA 90266

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)

On _____, before me, _____,
(insert name and title of the officer)

Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

OWNERSHIP INFORMATION REQUIREMENTS

Tenant Notification Verification (To Be Completed By Applicant)
At least 3 attempts within a 30-day period to contact tenant(s) must be submitted to verify that proper tenant notification was provided. One attempt must be in writing. The following methods can be submitted as proof with supporting documents: • Email • Phone Logs • Text • Certified Mail • On-site Post (in common areas) • Tenant Portal Message
The following documents may be submitted as proof the unit(s) were vacant. Additional supporting documents may be considered. • Lease agreements/terminations • Intent to Vacate Notice • Security deposit return receipt • Utility statements