

## Application Instructions Owner-Occupancy Exemption

### ELIGIBILITY REQUIREMENTS

1. The property must consist of two or three units.



Owners of single-family homes or separately sold condominiums should review the eligibility criteria for the **Rent Control Law §1815 Declaration for Permanent Exemption** or the **Rent Control Law §1815 Exemption after Two Years' Owner Occupancy**.

2. You must own at least a 50% interest in the property as a natural person(s) as of the date the application for exemption is filed.
3. You must have continuously resided at the property as your principal place of residence beginning at least 120 days before the date the application is filed.

### The granting of an exemption is not automatic.

All exemption applications must be decided by the Rent Control Board. Board decisions are final and may not be appealed. However, you may reapply 120 days after the Board's decision date.

### This exemption is not permanent.

Exemptions expire when the owner who was granted the exemption moves off the property or no longer has a 50% ownership interest in the property.



If the exemption is granted to you as an individual and title is later transferred into another form, such as a trust or LLC, the exemption will automatically lapse as an operation of law.

### THE REVIEW PROCESS

Applications are reviewed within five days of submittal to the Rent Control Board office.

If your application is determined to be incomplete, you may be contacted and provided with an opportunity to submit additional supporting evidence. Otherwise, your application will be returned with an explanation of what additional information or documentation is required.

Typical reasons why applications are deemed incomplete:

- Insufficient documentation.
- Grant deed submitted with the application is not recorded with the LA County recorder's office or is insufficient to prove ownership.

Once the application and our investigation are complete, a staff member will determine whether to recommend that the Board grant the application without a hearing. However, if there are disputed facts or issues of law, your application will be referred to a Hearing Officer to conduct a hearing. At the hearing, owners and tenants may present additional evidence. The Hearing Officer will then draft a written recommendation to the Board to grant or deny the application. The Rent Control Board will make its decision at one of their meetings.

### CHECKLIST

Applications will not be accepted unless accompanied by the following items:

1. Completed and signed application
2. Grant deed and supporting documents (see reverse side of this page for a list of acceptable documents)
3. Completed and signed Levine Act Disclosure form
4. \$100 processing fee.



### QUESTIONS?

Please contact an Information Coordinator at (310) 458-8751.

## REQUIRED SUPPORTING DOCUMENTATION

### Proof of Ownership

A grant deed showing the applicant's ownership interest in the property must accompany the application. Property owners must demonstrate a minimum 50% interest as a natural person(s) as of the date the application for exemption is submitted.

#### Acceptable

- ✓ Grant deed (or deeds) with stamp showing the date it was recorded, confirming the transfer from a third party and the chain of title

#### Insufficient

- ✗ Quitclaim deed (without a supporting grant deed)
- ✗ Deed of trust



#### Special instructions for properties held in a trust

If ownership is held in a trust, please submit a copy of the trust and the grant deed that transferred the property into the trust.

### 120-Day Occupancy

You must provide proof that you currently live on the property as your principal place of residence and have done so for at least 120 days prior to the filing date of the application. (Time during which your unit was being renovated prior to your moving onto the property does not count towards the 120 days.) Please provide as much documentation from each column as possible.

If the initial date of occupancy is earlier than 120 days prior to submission, you may also submit documents to confirm when occupancy began.

#### Utilities

Please provide the last four (4) consecutive months for each utility bill starting with the most recent bill.

- Telephone
- Gas
- Electric
- Water & Trash
- Cable TV and Internet Provider
- Proof of the initial utility connection (can be a letter from the utility or your fist bill after moving in)

#### Banking/Financial

- Credit card statements (four consecutive months)
- Bank statements (four consecutive months)
- Blank personal check (voided)
- Income tax return

#### Property or Moving

- Car & home insurance premiums or policies
- Homeowner's exemption
- Post Office change of address order
- Mail addressed to you at the property address
- Forwarded mail
- Moving company receipt or other proof of move-in date

#### Government Issued

- Driver's license or California ID
- Car registration
- Property tax bills
- Voter registration

#### Other

- Other documents supporting continuous residence at the property



**SANTA MONICA RENT CONTROL BOARD**

1685 Main Street, Room 202, Santa Monica, CA 90401

■ (310) 458-8751 ■ [santamonica.gov/rentcontrol](http://santamonica.gov/rentcontrol)

Application for Exemption  
Owner-Occupancy of a Property of Three or Fewer Units

For Office Use Only

MPP: _____	Application #: _____
Site Address: _____	Date Returned: _____
_____	Date Filed: _____
Date Submitted: _____	90-Day Deadline: _____
Fee Received: <input type="checkbox"/> Yes <input type="checkbox"/> No Initials: _____	120 Days Before Date Filed: _____

PLEASE PRINT OR TYPE

**GENERAL INFORMATION**

Property Address: \_\_\_\_\_ Santa Monica, CA

Number of Units: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**Applicant(s)**

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_ Santa Monica, CA

Street Address

Unit #

ZIP

Daytime telephone: \_\_\_\_\_ Cell: \_\_\_\_\_

Residence telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Attorney or other authorized representative (optional)**

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_ Santa Monica, CA

Street Address

Unit #

ZIP

Daytime telephone: \_\_\_\_\_ Cell: \_\_\_\_\_

**PROPERTY OWNERSHIP**

A copy of the recorded grant deed or other documents verifying ownership of at least a 50% interest in the property must be submitted with this- application or it will not be accepted for filing. (See the instruction sheet for more information about acceptable deeds.)

Date of purchase: \_\_\_\_\_

Date moved onto property: \_\_\_\_\_

## VERIFICATION OF OCCUPANCY

This application MUST be accompanied by copies of documents that indicate you have lived on the property continuously for 120 days prior to submitting your application. When submitting monthly bills, please provide at least four consecutive months of bills starting at least 120 days prior to the date you submit your application through the most recent bill.

Please provide as much documentation from each column as possible.

### Utilities

Please provide the last four (4) consecutive months for each utility bill starting with the most recent bill.

- Telephone
- Gas
- Electric
- Water & Trash
- Cable TV and Internet Provider
- Proof of the initial utility connection (can be a letter from the utility or your fist bill after moving in)

### Banking/Financial

- Credit card statements (four consecutive months)
- Bank statements (four consecutive months)
- Blank personal check (voided)
- Income tax return

### Property or Moving

- Car & home insurance premiums or policies
- Homeowner's exemption
- Post Office change of address order
- Mail addressed to you at the property address
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- Driver's license or California ID
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- Voter registration

### Other

- Other documents supporting continuous residence at the property

## TENANT INFORMATION

You must include your tenants' names and current contact information.

Unit #: \_\_\_\_\_

Unit #: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Telephone: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_

If the units are vacant, do you intend to rent the unit(s) within the next three months?  Yes  No

## OTHER RESIDENCES OR PROPERTIES YOU OWN

Do you occupy any other property for residential purposes?  Yes  No

If yes, what percentage of your time is spent at this other residence? \_\_\_\_\_ % List the address below:

Street

City

State

ZIP

Do you own any other residential property?

Yes  No

If yes, list the address below:

\_\_\_\_\_  
Street City State ZIP

Please explain how you use this property (for example, investment, alternate residence, personal office space, etc.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheets if needed to list other properties.)

**DECLARATION**

I declare that I have at least a 50% interest in the property and that I have resided there continuously as my principal place of residence since \_\_\_\_\_  
Date

I declare under penalty of perjury that the foregoing is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_  
Day Month Year

at \_\_\_\_\_, California.

**All owners listed as applicants on page 1 must sign.**

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Applicant

**Submission Checklist**

Please confirm that you have attached the following documents before submitting this application:

- Grant deed
  - Trust documents for a property held by a trust
- Documents verifying occupancy
- Completed and signed Levine Act Disclosure form
- \$100 processing fee.





SANTA MONICA RENT CONTROL BOARD  
CALIFORNIA LEVINE ACT DISCLOSURE FORM

In 2022, California’s SB1439 extended requirements under Government Code Section 84308, also known as the “Levine Act”, to prohibit City “Officers” from participating in any proceeding involving a contract, license, permit, or other entitlement for use if such Officer received campaign contributions totaling more than \$500 within the previous twelve months, and for twelve months following the date of a final decision, from a party or participant to the proceeding, or their agent.

Section 84308(a)(4) of the Levine Act defines an “Officer” as “any elected or appointed officer of any agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency.”

The term “Officer” is further defined in 2 Cal. Code Regs. Section 18438.1, which states:

An officer of an agency includes only those persons who may make, participate in making, or in any way attempt to use their official position to influence a decision in a proceeding involving a license, permit, or entitlement for use , or who exercise authority or budgetary control over the agency of officers who may do so, and:

- (1) Serve in an elected position, including any official appointed to an elected position due to an interim vacancy or an election otherwise canceled because the official was the sole candidate for the position;
- (2) Serve as a member of a board or commission;
- (3) Serve as the chief executive of a state agency or county, city or district of any kind; or
- (4) Have decision-making authority with respect to the proceeding involving a license, permit, or other entitlement for use and is also a candidate for elected office or has been a candidate for elected office in the 12 months prior to the proceeding.

*A list of the current commissioners of the Santa Monica Rent Control Board and the Executive Director of the Santa Monica Rent Control Agency is attached to this form.*

- 1) Have you, your company, or any agent on behalf of you or your company, made any political contributions of more than \$500 to any member of the Santa Monica Rent Control Board or the Executive Director of the Santa Monica Rent Control Agency in the twelve (12) months preceding the date of your submission for any of the items below?**

- Application for Exemption from Santa Monica Rent Control Law
- Application for Removal Permit
- Contract Proposal to the Santa Monica Rent Control Agency

YES       NO

2) If yes, please provide the following information regarding your political contribution of more than \$500:

Name of Commissioner or Executive Director: \_\_\_\_\_  
Name of Contributor: \_\_\_\_\_  
Date(s) of Contribution: \_\_\_\_\_  
Amount(s) of Contribution: \_\_\_\_\_

Please attach any additional sheets to identify additional Commissioners or the Executive Director to whom you and/or your agents made campaign contributions.

Answering YES does not preclude the Santa Monica Rent Control Board or the Santa Monica Rent Control Agency from considering an above-listed submission. It does, however, preclude the identified individual from participating in any actions related to such item.

**By signing below, you certify you also agree to disclose to the Santa Monica Rent Control Board any future contributions made to the commissioners of the Santa Monica Rent Control Board or the Executive Director of the Santa Monica Rent Control Agency by you or your agent(s) after the date of signing this disclosure form, and within twelve (12) months following the consideration of your exemption application, removal permit application, appeal of decision to the Santa Monica Rent Control Board, or approval of the requested contract.**

I HEREBY CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Print First and Last Name: \_\_\_\_\_ Title: \_\_\_\_\_

Company: \_\_\_\_\_

*Please note that this form is a public record and subject to a California Public Records Act request.*



LIST OF OFFICERS  
SANTA MONICA RENT CONTROL BOARD  
LEVINE ACT DISCLOSURE FORM

<b>Name</b>	<b>Position</b>
Ericka Lesley	Board Chairperson
Kurt Gonska	Board Vice-Chairperson
Kay Ambriz	Board Commissioner
Phillis Dudick	Board Commissioner
Danny Ivanov	Board Commissioner
Jonathan Holub	Executive Director