



Replacement Unit Determination (RUD)

CITY OF COVINA

125 East College Street, Covina, CA 91723-2199

PLANNING DIVISION, COMMUNITY DEVELOPMENT DEPARTMENT

www.covinaca.gov (626) 384-5450

Proposed development projects, both residential and nonresidential, are required to comply with the Housing Crisis Act of 2019, as amended (Government Code Section 66300 et seq.), commonly referred to as the HCA. Per the HCA, the City cannot approve a development project unless the state requirement for replacement units has been satisfied. Additionally, the City cannot approve an application for a density bonus under State Density Bonus Law (Government Code Section 65915) unless the requirements for replacement units in that law have been satisfied. This application form must be used for any project that proposes to demolish residential units covered under either or both of these state laws.

REQUIREMENT SUMMARY

In order for the City to determine replacement unit¹ obligations as part of the development project and for the applicant to understand how the HCA and/or density bonus replacement unit obligations may affect the proposed project financially, it is strongly encouraged that the following information be submitted to the Planning Division and that the applicant receive the City's Replacement Unit Determination (RUD) **PRIOR TO** submitting formal land use entitlement applications associated with the project or building permit plan check, whichever occurs first. If the applicant chooses not to submit the form and associated information, and not await the City's Replacement Unit Determination, this form and all of the information included herein is required to be submitted as part of the formal land use entitlement application associated with the project or building permit plan check, whichever occurs first.

1. Replacement unit requirements do NOT apply to:

- A. Nonresidential development projects that did not contain any Protected Units on site within the last 5 years.
- B. Demolition of one single-family dwelling unit to accommodate the construction of one new single-family dwelling unit.

2. Replacement of Existing Residential Dwelling Units/No Net Loss

A proposed residential development project must match or exceed the greatest number of dwelling units that existed on the site within the past 5 years.

3. Replacement of Existing or Demolished "Protected Units"

Both housing development projects and nonresidential development projects must replace all existing Protected Units or Protected Units demolished on or after January 1, 2020. "Protected units" are defined as those residential dwelling units that are or were, within the 5 years prior to the owner's application for a RUD, either:

- A. Subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low income;
- B. Subject to any form of rent or price control through a public entity's valid exercise of its police

¹ Replacement units may be any type (apartment, condominium, accessory dwelling unit, duplex, etc.) for rent or for-sale. Nonresidential projects that will demolish existing Protected Units may provide replacement units on a different site, provided they are located within the City of Covina and developed prior to or concurrently with the nonresidential project. Residential projects must include the required replacement units on-site and cannot be provided as part of a separate development.

- power;
- C. Rented by low or very low-income households, as determined by the City using [Median Income](#) figures as published by the California Department of Housing and Community Development (“HCD”); or
- D. That were withdrawn from rent or lease per the Ellis Act within the past 10 years.

4. Income Verification and RUD Calculation – The Planning Division will use the information provided by the owner/applicant to determine how many Protected Units exist, if any, and how many replacement units are needed for the new development project, if any, through the following methods²:

A. **Use of Household Income Data** – Whether the unit qualifies as a Protected Unit is determined by the income level of the current or last known household that rented the unit, as well as any household that rented the unit in the last five years. It is not based on the rent charged. This information is also used to determine the income category a Protected Unit falls into for replacement purposes. Household income levels are reviewed through tax returns, pay stubs, etc. (see Application Table of Contents: Rental Unit Documents for Income Certification Review Checklist). The owner is responsible for engaging with current and previous occupants (from the last 5 years) to ensure sufficient documentation is gathered to support the determination of whether there are any Protected Units on the property.

B. **FOR DENSITY BONUS PROJECTS ONLY: Use of the U.S. Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS) database** – If the proposed housing development project is seeking a density bonus pursuant to Government Code §65915, replacement unit requirements apply even if the income level of the households renting (or formerly renting) the units is unknown. In the absence of sufficient household income documentation, the affordability levels of the replacement units for those projects will default to the percentage of very low- or low-income renters in the jurisdiction shown in the latest [CHAS database](#)³ per Government Code §65915(c)(3)(B). Please note that if only a portion of the total units provide household income documentation, the CHAS database calculation will determine the income level for the remainder of the total units.

5. Affordable Housing Obligations – The number of required replacement units that must be deed restricted as affordable housing units, and the level of affordability of the replacement units, will be based on the information provided pursuant to section 4 above. The owner shall be subject to a recorded affordability covenant for at least 55 years for rental replacement units; for-sale replacement unit affordability periods shall be subject to Government Code §65915(c)(2). Note that income-restricted affordable housing units provided as replacement units will be counted towards any affordable units required per a density bonus request.

6. Right to Remain, Right to Return, Right to Relocation for Occupants of Protected Units – The owner/applicant shall notify tenants of eligible rights and protections subject to applicable State law, including, but not limited to, the following:

- A. **Right to Remain.** All household occupants of Protected Units proposed to be demolished shall have the right to remain in the unit until 6 months before the start of construction activities. The project proponent shall provide existing occupants with written notice of the planned demolition,

² Pursuant to State law, all replacement unit calculations resulting in fractional units shall be rounded up to the next whole number.

³ As of July 2025, the affordability percentages for the City of Covina are as follows: 9% very low, 9% low, with the remaining 82% presumed to be above low-income households.

the date they must vacate, and their rights under the HCA at least 6 months in advance of the date existing occupants must vacate.

- B. **Right to Return.** Any existing occupants that are required to leave their units, whether the units are considered Protected Units or not, 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.
- C. **Right to Relocation and Right of First Refusal.** All *lower income household* occupants of Protected Units are entitled to relocation benefits subject to Chapter 16 (commencing with §7260) of Division 7 of Title 1 of the Government Code, and any implementing regulations; and a right of first refusal (“Right of First Refusal”) to a comparable unit (with at least the same number of bedrooms) in the completed project, at a rent or sales price affordable to their household income level (or lower). This Right of First Refusal does not apply to:
 - a) A project that consists of a single-family dwelling unit on a site where a single-family unit is demolished, or
 - b) A project that consists of 100% lower income units, exclusive of Manager’s Unit(s).

7. Application Process

The Owner/Applicant for any proposed development project (residential and nonresidential) must complete the RUD form for review by the Planning Division. It is strongly encouraged that the RUD form be submitted prior to submitting for formal land use entitlement applications associated with the project or building permit plan check, whichever occurs first. A preliminary review by City staff shall determine replacement units, if any, are properly reflected in the proposed project. Please note that the applicant will be required to provide proof of completion of the RUD as part of the future land use entitlement application or building permit submittal, or submit all necessary information on the RUD form with application materials in order to have a complete application.

Based on the information submitted, the City will determine whether any Protected Units exist, and the number of required replacement units that must be made affordable to households at very low- or low-income levels. The Owner/Applicant will be provided with a determination which can take up to 30 days to process upon receipt of all the required documents. The determination shall be valid for a period of 6 months from the date determined, or until the CHAS data is updated, whichever is longer.

APPLICATION TABLE OF CONTENTS:

Each section in this application must be completed in its entirety, and all requirements must be met to be filed for processing.

1. Owner/Applicant Contact Information
2. Existing Property Information
3. Proposed Project Information
4. Tenant Information Table (Including Signed Lease Agreements)
5. Tenant Income Certification Form
 - 5.1. Rental Unit Documents for Income Certification Review Checklist
6. Owner Affidavit **OR**
7. Applicant Affidavit and Owner Acknowledgment
 - 7.1. Owner Information Requirements (only applicable for Applicant Affidavit)

Once the required documents are completed, please submit the documents to the Planning Division at Planning@covinaca.gov .

REPLACEMENT UNIT DETERMINATION (RUD) APPLICATION FORM

1. OWNER/APPLICANT CONTACT INFORMATION

A. Who is the primary project contact?

Owner Applicant Owner's Agent/Representative Property

B. Owner Name: _____

Email: _____ Phone: _____

Mailing Address: _____

C. Applicant Name (if different from owner): _____

Email: _____ Phone: _____

Mailing Address: _____

D. Owner's Agent/Representative Name (if applicable): _____

Email: _____ Phone: _____

Mailing Address: _____

2. PROJECT INFORMATION

A. Will the project require any existing dwelling units to be demolished or were any demolished in the last 5 years?

Yes No, stop here and sign the end of this form

a. How many dwelling units will be demolished or were demolished in the last 5 years? _____ units

B. How many units are proposed to be constructed in total? _____ units

a. Are any deed restricted affordable units proposed? Yes No

b. If so, please fill out the table below:

Household Income Category	No. of Units
Very Low	
Low	
Moderate	

3. EXISTING PROPERTY INFORMATION

Project Site Address: _____

Assessor Parcel Numbers APN(S): _____

REPLACEMENT UNIT DETERMINATION (RUD) APPLICATION FORM

Please complete the table below for all units of all buildings that have existed on the property within the last 5 years. Please copy and attach an additional table if needed.

Building Address	APN	Unit Number	Number of Bedrooms	Protected Unit ⁴ (Y/N)	Demolished Within Last 5 Years (Y/N)
TOTAL NUMBER OF UNITS					

Description of existing or demolished units and buildings within the last 5 years on the project site. Please make sure to note any changes to number of units on the site, including demolitions, additions, remodeling activities, and tenancies/vacancies with dates:

4. PROPOSED PROJECT

Description of proposed construction/conversion and required replacement housing.

⁴ For the definition of “protected unit,” please see Government Code §66300.5. Please note that this term includes, but is not limited to, “residential dwelling units” that “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” and importantly, “residential dwelling units that are or were rented by lower or very low income households within the past five years.”

REPLACEMENT UNIT DETERMINATION (RUD) APPLICATION FORM

CERTIFICATION: I certify and declare under penalty of perjury under the laws of the State of California that the answers furnished above, and in the attached exhibits, including the facts, statements, and information presented therein are true and correct to the best of my knowledge and belief. I further understand that additional information may be required to be submitted to the City of Covina to complete my review.

Signature of Owner/Applicant: _____

Date: _____

5.1. RENTAL UNIT DOCUMENTS⁵ FOR INCOME CERTIFICATION REVIEW CHECKLIST

The following documents are required for **EACH** adult household member over 18 years old:

1. If employed, provide the following documents:

- Copies of three (3) months consecutive recent pay stubs
- Copies of two (2) most recent income tax returns **AND**
- W-2 form completed by employer with company stamp or business card attached

2. If self-employed, provide the following documents:

- Signed copies of two (2) most recent years' income tax returns with Schedule C (including form 1099, if applicable)
- Current six (6) month profit and loss statement

3. If an adult household member is not employed, provide:

- Certification of zero income
- IRS Verification of Non-filing Letter

4. If an adult household member is receiving other benefits, provide:

- Proof of any income (e.g., Social Security, Award Letter, Pension, unemployment checks, child support, alimony Public Assistance, CAPI, TANF/AFDC, Disability and/or Worker's Compensation Benefit Information, General Assistance or other sources of income)

5. If an adult household member is a full-time student, provide:

- Verification of full-time student status

6. If an adult household member has assets⁶ (Checking, Savings, 401k, 403b, IRA, Stocks, Bonds, CD's, Investments Accounts etc.), provide:

- Three (3) months of most recent bank statements for all Checking accounts (all pages)
- Current (1) month of most recent bank statements for all Savings, 401k, Investment Accounts, Retirement, Stocks, CD's, etc. accounts (all pages)

7. If an adult household member owns real estate, provide:

- Information on real estate ownership (Fair Market Value and/or Closing Statement)

⁵ To the extent permissible under law, the City will not treat income documentation as information to be disclosed under the Public Records Request Act, in the interest of encouraging accurate information and reporting.

⁶ Per Health and Safety Code § 50052.5 and Title 25 of the California Code of Regulations § 6914, gross income is defined as "where a family has net family assets in excess of \$5,000, income shall include the actual amount of income, if any, derived from all of the net family assets or 10 percent of the value of all such assets, whichever is greater. Net family assets mean value of equity in real property other than the household's full-time residence, savings, stocks, bonds, and other forms of capital investment. The value of necessary items such as furniture and automobiles shall be excluded."

6. OWNER AFFIDAVIT

DATE: _____

TO: CITY OF COVINA COMMUNITY DEVELOPMENT
PLANNING DIVISION - REPLACEMENT UNIT DETERMINATION
125 EAST COLLEGE STREET
COVINA, CA 91723-2199

RE: _____
ADDRESS (including apartment or unit number(s))

(All Assessor Parcel Numbers)

OWNER'S AFFIDAVIT
(use when owner is the applicant)

_____, ("Owner") hereby certifies that:

- (1) Owner is the legal owner of the above-referenced real property ("Property"); and
- (2) That the person(s) identified below ("Authorized Signatory/ies") has/have been legally authorized to sign on behalf of the owner(s) or ownership entity as evidenced by the separate instrument(s) attached herewith; and
- (3) The documents furnished to the City of Covina Community Development Department in conjunction herewith, represent the full and complete information required for the Replacement Unit Determination requested for the Property and that the facts, statements and information presented are true and correct to the best of Owner's knowledge and belief.
- (4) Owner 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 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 §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. All Lower Income Household occupants of Protected Units are also entitled to: (a) Relocation benefits also subject to Chapter 16 (commencing with §7260) of Division 7 of Title 1 of the Government Code, and any implementing regulations and (b) the right of first refusal ("Right to First Refusal") to a comparable unit (same bedroom type) in the new Project following completion and that depending on income level at the time of lease up or sale, if applicable, may be entitled to return at an affordable rent per California Health & Safety Code §50053 or an affordable housing cost pursuant to California Health & Safety Code §50052.5, unless otherwise exempt pursuant to California Government Code §66300.6(b)(4)(B)(i) or (ii). The owner acknowledges and will offer the Right of First Refusal to qualified households.

Owner declares under penalty of perjury under the State of California that the foregoing is true and correct.

***Attach California Notary Public Acknowledgement**

Executed on _____ at _____, California
(date) (city)

Print Full Name of Authorized Signatory/ies: _____

Signature of Authorized Signatory/ies: _____

(additional signature lines may be added as needed)

7. APPLICANT AFFIDAVIT AND OWNER ACKNOWLEDGMENT

DATE:

TO: CITY OF COVINA COMMUNITY DEVELOPMENT
PLANNING DIVISION - REPLACEMENT UNIT DETERMINATION
125 EAST COLLEGE STREET
COVINA, CA 91723-2199

RE: _____
ADDRESS (including apartment or unit number(s))

(All Assessor Parcel Numbers)

APPLICANT AFFIDAVIT AND OWNER ACKNOWLEDGMENT
(use when Applicant and Owner are separate entities)

_____, (“Applicant”) hereby certifies that:

- (1) Applicant is the potential future developer of the above-referenced real property (“Property”) owned by _____ (“Owner”); and
- (2) That the person(s) identified below (“Authorized Signatory/ies”) has/have been legally authorized to sign on Owner’s behalf as evidenced by the separate instrument(s) attached herewith; and
- (3) The documents furnished to the City of Covina Community Development Department in conjunction herewith, represent the full and complete information required for the Replacement Unit Determination requested for the Property and that the facts, statements and information presented are true and correct to the best of Applicant’s knowledge and belief.
- (4) Applicant 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 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 §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. All Lower Income Household occupants of Protected Units are also entitled to: (a) Relocation benefits also subject to Chapter 16 (commencing with §7260) of Division 7 of Title 1 of the Government Code, and any implementing regulations and (b) the Right of First Refusal (“Right to First Refusal”) to a comparable unit (same bedroom type) in the new Project following completion and that depending on income level at the time of lease up or sale, if applicable, may be entitled to return at an affordable rent per California Health & Safety Code §50053 or an affordable housing cost pursuant to California Health & Safety Code §50052.5, unless otherwise exempt pursuant to California Government Code §66300.6(b)(4)(B)(i) or (ii). The owner acknowledges and will offer the Right of First Refusal to qualified households.
- (5) Applicant declares under penalty of perjury under the State of California that the foregoing is true and correct.

***Attach California Notary Public Acknowledgement**

Executed on _____ at _____, California
(date) (city)

Print Full Name of Authorized Signatory/ies: _____

Signature of Authorized Signatory/ies: _____

(additional signature lines may be added as needed)

7.1. OWNERSHIP INFORMATION REQUIREMENTS

A letter from the Owner (on business letterhead as applicable) to the City, attesting to ownership of the Property and confirming that Applicant is the potential future developer of the Property, that Owner is aware of, has no objections to, and authorizes the Applicant to submit a Replacement Unit Determination form to the City of Covina for its property.

The following documentation must be submitted at the time of filing:

- Grant Deed – This is required if the Los Angeles County Assessor’s Records do not match the current ownership as listed on the application. The deed information should match the property owner as listed above.
- Letter of Authorization – This is required if the property owner does not sign the application. The property owner may instead provide a signed and dated letter in lieu of their original signature on this form, which must authorize the signatory of this application. Please see attached Letter of Authorization Example.
- Ownership Entity Documentation – This is required if the property is owned by an entity rather than an individual. Please provide the applicable required documentation for the type of ownership entity, as shown in the table below.

OWNERSHIP DOCUMENTATION REQUIREMENTS		
Type of Property Owner	Required Ownership Documentation	Documents that May be Required (If Applicable)
Individual	N/A	Grant Deed, Letter of Authorization
Limited Liability Company (LLC)	Operating Agreement or Articles of Incorporation	Grant Deed, Letter of Authorization
Corporation	Articles of Incorporation, Bylaws, and/or Meeting Minutes	Grant Deed, Letter of Authorization
Limited Partnership (LP)	Partnership Agreement	Grant Deed, Letter of Authorization
Trust	Trust Instrument	Grant Deed, Letter of Authorization

Replacement Unit Determination (Office Use Only)

Replacement Units Required: Yes No

Number of Protected Units Demolished
 (Based on Income Verification CHAS Database)

Household Income Category	No. of Units
Very Low	
Low	

Replacement Unit Requirement

Household Income Category	No. of Units	Bedrooms Per Unit
Very Low		
Low		

Staff Comments:

Completed By:	Date:
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