ASSOCIATION OF BAY AREA GOVERNMENTS
METROPOLITAN TRANSPORTATION COMMISSION

Technical Assistance
for Local Planning
HOUSING

DISCLAIMER: This guide is intended solely as a high-level summary of Replacement Requirements associated with SB 330 (2019). It is not legal advice regarding any jurisdiction's specific policies or any proposed project. Local staff should consult with their city attorney or county counsel when determining how to implement this new piece of legislation.

Replacement Units – Sample Programs for SB 330 (2019)

SB 330, known as the Housing Crisis Act of 2019, mandates that when protected units are demolished, they must be replaced with units of equivalent size and affordability. Additionally, lower-income displaced tenants are entitled to relocation benefits and a right to return to a comparable unit in the new development (sometimes called right refusal).

California jurisdictions have taken different approaches to meeting the rules. Some use a developer-driven process, where the city provides information, but the developer leads (e.g. interviewing tenants about their income). In other cases, the jurisdiction does the analysis themselves or requires the developer to hire a nonprofit. Additionally, some jurisdictions have supplemented the law with additional requirements to protect tenants.

This document is organized in two parts: 1) Options for jurisdictions to comply with SB 330, and 2) Options to go beyond the state law.

Additional information on these requirements may be found in The Regional Housing Technical Assistance (RHTA) Program's Guide to California State Replacement Housing Requirements.

Part 1 – Programs to Meet SB 330 Requirements

Developer-Led Process

Some cities enforce SB 330 through a developer-led process. In this approach, the developer is responsible for asking the tenants their income and calculating the replacement requirements. This process is easiest for cities to administer and may make the most sense for cities that do not have the capacity for a more complicated process. However, it is less likely to get accurate information because tenants may not trust their landlords and the calculations may be less accurate.

Below are some sample resources.

- **Summary -** A summary of the relevant laws and instructions on how to calculate replacement requirements (San Francisco, Unit Replacement and Relocation Affidavit, Bulletin No. 7).
- **SB 330 Preliminary Application,** including an affidavit for tenants to complete regarding their incomes (called a Tenant Statement) (San Francisco, San Francisco Preliminary Application).
- **Developer's affidavit -** An applicant affidavit outlining replacement obligations (Redwood City, Redwood City Developer Affidavit).

Public Agency-Led Process

Some jurisdictions, such as Alhambra in Los Angeles County, require the developer to submit all the relevant information and then make the final calculations themselves. While this takes more time, it ensures consistency and eliminates a conflict of interest (e.g. a developer may try less hard to contact a tenant if they know they are low income). If a jurisdiction leads the process themselves, they should adjust their fee schedule accordingly. Below are some additional sample resources from Alhambra:

- **SB 330 application forms**, including a list of required documents for the city to calculate unit obligations (e.g. current title report and recorded grant deed, detailed tenant inventory table that includes tenant contact information). Alhambra Preliminary Application Checklist, Alhambra Preliminary Application, and Alhambra Replacement Unit Determination.

Third-Party Led Process

Some cities hire outside consultants to perform various aspects of the process, including but not limited to tenant verification, the calculation of replacement obligations, and ensuring benefits owed to tenants are completed. For example, Redwood City uses a relocation affidavit form to be completed by developers (see page 1), in conjunction with an on-call relocation consultant to conduct the following:

- Act as the primary contact for the city's relocation activities.
- Provide individually tailored relocation services including but not limited to preparing and issuing applicable notices, fielding questions, conducting eligibility assessments, determining the specific amount of relocation payments, and assisting with the distribution and documentation of relocation payments.
- Maintain accurate and adequate documentation of relocation services provided.
- Coordinate language interpretation and translation services, as needed.

Part 2 – Programs that go Beyond SB 330 Requirements

Mountain View

Mountain View goes above and beyond state law, and has observed a significant decline in tenant displacements. The city combines state protections with its Tenant Relocation Assistance Ordinance (TRAO), offering enhanced benefits to displaced tenants, including additional relocation benefits. The city applies the stricter provisions of either the TRAO or SB 330, ensuring maximum protection for tenants. In addition, Mountain View provides a detailed, step-by-step process to comply with the requirements from beginning to end, including noticing, translation of documents, and using a relocation consultant to conduct the work required.

According to city staff, Mountain View's local TRAO borrows the following from SB 330 requirements:

- The vacate date cannot be earlier than six months before the start of construction.
- Tenants must receive a notice no sooner than six months before relocation.
- Tenants have right of return.

It should be noted that revisions to the TRAO have been approved by the Environmental Planning Commission with changes that will be forwarded to the City Council later in the year. Among the potential changes could be enhanced benefits for low-income households, as well as moving costs for all households regardless of income.

Sample resources include:

- **Current Administrative Procedures** for the Tenant Relocation Assistance Program.
- **The proposed revised ordinance** and TRAO Amendments.
- **The Environmental Planning Staff Report** from September 17, 2025, which outlines the changes to the TRAO and provides information on temporary and permanent relocation assistance offered by a variety of jurisdictions.

Additional Strategies to Consider

Cities can adopt several additional strategies to strengthen their implementation of **SB 330** and expand tenant protections while ensuring the preservation of affordable housing:

1. Create a Centralized Protected Units Registry

- **Why:** Helps track rent-controlled, affordable, and low-income units over time.
- **Benefits:** Easier enforcement of replacement obligations, prevents loss of protected units due to recordkeeping gaps.
- **Who:** Alameda, Berkeley, Concord, Oakland, San Francisco, San Pablo.

2. Mandate Extra Benefits for Special Circumstance Households

- **Why:** SB 330 does not provide extra assistance to income-eligible households with special needs, such as seniors or people with disabilities, who might need additional assistance.
- **Recommendation:** Provide additional monetary assistance to special circumstances households. Mountain View, in 2024, provided $9,150 in additional benefits beyond what is required in the law, a figure that is adjusted annually by the Consumer Price Index.

3. Extend Right of Return for Tenants Beyond State Minimums

- **Why:** SB 330 grants a right of return but doesn't regulate how long this right lasts.
- **Recommendation:** Guarantee the right of return for at least **12–24 months** after completion of new units and require tenant notification during construction phases.

4. Increase Oversight Through Third-Party Monitoring

- **Why:** Developers sometimes underreport protected units or fail to follow through on affordability terms.
- **Recommendation:** Hire third-party housing monitors to audit compliance at each stage—application, demolition, construction, and lease-up. Mountain View, Santa Cruz and Los Angeles all require (or allow) the use of third-party monitors.

5. Implement Stronger Anti-Displacement Incentives

- **Why:** Demolition of protected units is often financially incentivized over rehabilitation.
- **Recommendation:** Offer expedited permitting, density bonuses, or tax incentives for rehabilitation projects that retain protected tenants.

6. Engage Tenants in the Redevelopment Process

- **Why:** Tenants often lack legal representation or input in decisions affecting their homes.
- **Recommendation:** Require tenant advisory committees or tenant outreach plans as part of any SB 330-related project approval.

These practices and strategies support equitable development while maintaining housing stability for vulnerable populations. Cities implementing SB 330 can go further by institutionalizing robust oversight, prioritizing on-site affordable unit replacement, and embedding tenant rights into project lifecycles.