CITY OF LOS ANGELES

CALIFORNIA

BOARD OF
BUILDING AND SAFETY COMMISSIONERS

JAVIER NUNEZ
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DEPARTMENT OF
BUILDING AND SAFETY
201 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

OSAMA YOUNAN, P.E.
GENERAL MANAGER
SUPERINTENDENT OF BUILDING

JOHN WEIGHT
EXECUTIVE OFFICER

March 2, 2022

Honorable City Council
Room 395, City Hall
Los Angeles, CA 90012
Attention: Lisa Hughes

SUBJECT: REQUEST FOR REFUND FROM LA 19A, LLC.

Honorable Members:

In accordance with the Los Angeles Municipal Code (LAMC) Sections 22.12 and 22.13, the Los Angeles Department of Building and Safety (LADBS) requests Council approval of refund claim number 150132 in the amount of $111,619.84.

On November 25, 2019, LADBS received a payment in the amount of $141,070.18 from LA 19A, LLC (Claimant) under building permit number 19010-30000-04558 for the project located at 745-747 Moreno Ave, Los Angeles, CA 90049 (Project). The amount of the total linkage fee, among the total payment LADBS received, was $111,619.84. The Claimant submitted a claim for refund on April 3, 2020 for a portion of the linkage fee assessed on the Project. Upon further review, LADBS plan check staff determined the Claimant is entitled to a full linkage fee refund in the amount of $111,619.84 because the Project was not subject to the Linkage Fee Ordinance (Ordinance No. 185324). Attached are supporting documents regarding the claim for refund.

Should you have any questions regarding this matter, please contact Christine Isidro at (213) 482-6892. Thank you for your consideration.

Sincerely,

for

Osama Younan
General Manager
Los Angeles Department of Building and Safety

150132

RECEIVED
2020 APR 10 PM 3:06
CITY OF LOS ANGELES
FINANCE SERVICES
BUILDING & SAFETY

CITY LA DBS
DEPARTMENT OF BUILDING AND SAFETY

CLAIM FOR REFUND

CLAIM #____
BY _____
DEPUTY

RECEIVED
CITY CLERK'S OFFICE
2020 APR -3 PM 1:08
CITY CLERK

Received Date Stamp

(First)
LA19A, LLC & its attorney, The Law Office of Steve Hoffman

Mailing Address (Street) (City) (State/Zip)
C/O The Law Office of Steve Hoffman, 4929 Wilshire Blvd., Suite 410, Los Angeles, CA 90010

Area Code/Phone Number
(323) 997-1188

REFUND INFORMATION

JOB LOCATION: 745 - 747 Moreno Ave, Los Angeles, CA 900496

Amount Claimed $ $53,910.00 **Date Fees Paid:** 11/25/19

RECEIPT #/PERMIT #/REFERENCE #: 19010 - 30000 - 04558 and 19019 - 30000 - 05178

STATE REASON FOR REQUESTING A REFUND - (Details):

See attached letter + Exhibits documenting that we are owed a Linkage Fee refund of $53,910.00.
We were charged on gross sq footage of 6014, instead of net of 3,019, after 2,995 demo.

Because of the attached attorney's fee lien, please make the check payable to:

"LA19A, LLC & Law Office of Steve Hoffman" and mail to 4929 Wilshire Blvd., #410, L.A., CA 90010"

NOTE: A Claimant may be required to submit to examination under oath. (Charter Section 217.)
Presentation of a false claim is a felony. (California Penal Code Section 72.)

I HEREBY CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE.

Steve Hoffman, Esq., Attorney for LA19A, LLC	April 2, 2020
SIGNATURE AND TITLE OF CLAIMANT	DATE

FOR DEPARTMENT OF BUILDING & SAFETY USE ONLY

01/11/2022: Request for reconsideration was received and file was re-opened for review and reconsideration.

AMOUNT APPROVED FOR REFUND $ 0 After reconsideration:$111,619.84

REMARKS: Project is considered a development project so exemptions to linkage fee do not apply. Therefore, a refund is recommended.

* Exemption doesn't apply to duplex. Therefore, reconsideration is still denied

Audited by: CG	Date: 06/09/20 09/16/20
Approved by: CG	Date: 6/17/20 9/23/20

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities

Monday, January 24, 2022 11 : 58 AM

LADBS Recommendation Form

CLAIM # 150132
Bureau: Engineering
Division: Green Building

Document Number: 19010-30000-04558
Receipt Number:
Receipt Date:
Fee Period:
Job Address: 745 747 S MORENO AVE

1. Did LADBS perform any work for which the permit or receipt was issued?
   no

2. Are the reasons given by claimant correct?
   no
   Claimant is requesting a partial refund due to credit not being given for demolished building.

3. Did LADBS initiate an action that resulted in an error?
   yes
   Not a development project, therefore linkage fee does not apply

4. Is this a duplicated permit or receipt of the same job or item?
   yes
   5/7/20; 8/18/20; 10/21/21

5. Of the gross amount claimed, is the amount claimed pertaining to the(se) particular item(s) correct?
   no
   Recommended refund is $111,619.84

6. Is a refund recommended?
   yes
   The project does not result in additional housing units; therefore, it is not a development project and is exempt from the linkage fee.

Reviewed By: TAMERA SVETICH
Reviewed On: 01/12/2022
Approved By: Binh Phan
Approved On: 01/12/2022

Financial Service Div.'s Comments:

Rush -Reconsideration-Linkage fee Overcharged

Liaison's Comments:

Please RUSH this is time sensitive and let the Engineer know. Can you send to Tamera or Felix process? This is for reconsideration of Claim #150132.

Reviewer's Comments:

Supervisor's Comments:

History

Action	By	On
Review Approved & Returned to FSD	Binh Phan	1/12/2022 9:13:37 AM
Review Completed & Submitted for Supervisor Review (to Binh Phan)	TAMERA SVETICH	1/12/2022 9:08:08 AM
Assigned (to TAMERA SVETICH)	MARGARET KUHN	1/11/2022 3:25:18 PM
Created	MARY SUM	1/11/2022 1:49:36 PM

City of Los Angeles
Department of Building and Safety
REPORT ON CLAIM FOR REFUND

Sent to: Eng'r
Location:
Date: APR 2 0 2020

Linkage Fee only

CLAIM NO.: 150132

Reconsideration ~~AUG 1 0 2020~~

OPERATION DIVISIONS REPORT AND RECOMMENDATIONS

NOV 2 3 2020

1. Did Building and Safety perform any work for which the permit or receipt was issued? YES_____ NO_____

2. Are reasons given by claimant correct? YES_____ NO_____ N.A._____

   If "NO," please explain _____

3. Of the gross amount claimed, is the portion of the amount claimed pertaining to (these) particular item(s) correct? YES_____ NO_____ Should be _____

4. If computations are involved, show computation on reverse side of this form or attach a separate sheet

5. Did Department initiate action resulting in an error? YES_____ NO_____

   If "YES," please explain _____

6. Is claim over one year from date of expiration? YES_____ NO_____

   If "YES," was permit extended? _____

7. Is a refund recommended? YES_____ NO*_____
   *Explain under item 10

8. Is this a duplicate permit or receipt of the same job or item? YES_____ NO_____
   If "YES," indicate other permit or receipt number(s) _____

9. Enter this claim for refund number on your office copy of the receipt and/or permit, or other records.

   Date entered _____

10. FURTHER COMMENT OR CLARIFICATION OF THE ABOVE ITEMS (use back of form if more space required):

_____

Date: _____ Signature of Recommender: _____ Ext._____

Division: _____ Approved: _____
Bureau, Division, district or Bracnh head

Connect , Create Collaborate

Selenia Garcia <selenia.garcia@lacity.org>

(New) Request for Reconsideration of Denied Claim #150132 (745 - 747 Moreno)

3 messages

STEVE HOFFMAN <hoffpi@sbcglobal.net> Thu, Nov 12, 2020 at 4:24 PM
To: Mary Sum <mary.sum@lacity.org>, Selenia Garcia <selenia.garcia@lacity.org>, LADBS Refunds <ladbs.refunds@lacity.org>
Cc: STEVE HOFFMAN <asher.hoffpi@yahoo.com>

Good afternoon Mary & Selenia:

I hope all is well.

Attached is a (New) Request for Reconsideration of Denied Claim #150132 (745 - 747 Moreno). **It is supported by the attached email from Cally Hardy of City Planning**.

Please email back confirming that this attached (New) Request for Reconsideration of Denied Claim #150132 (745 - 747 Moreno) has been sent to the plan checker for reconsideration. Thank you and have a great day.

Warm regards,

Steve Hoffman, Esq.
4929 Wilshire Blvd., Suite 410
Los Angeles, CA 90010
(323) 997-1188

(New) Request for Reconsideration of Denied Claim #150132 (745 - 747 Moreno).PDF
829K

STEVE HOFFMAN <hoffpi@sbcglobal.net> Fri, Nov 13, 2020 at 9:07 AM
To: Selenia Garcia <selenia.garcia@lacity.org>, LADBS Refunds <ladbs.refunds@lacity.org>
Cc: STEVE HOFFMAN <asher.hoffpi@yahoo.com>

Good morning Selenia:

I hope you are well. I see that the highlighting on last night's emailed Reconsideration request got moved around during the scan. Attached is a replacement. Please disregard the prior version. Sorry for the inconvenience. Be safe and have a great weekend.

Best,

Steve Hoffman, Esq.
Attorney at Law
4929 Wilshire Blvd., Suite 410
Los Angeles, CA 90010-3817
(323) 997-1188

[Quoted text hidden]

(New) Request for Reconsideration of Denied Claim #150132 (745 - 747 Moreno).PDF
850K

Selenia Garcia <selenia.garcia@lacity.org> Wed, Nov 18, 2020 at 3:26 PM
To: STEVE HOFFMAN <hoffpi@sbcglobal.net>
Cc: LADBS Refunds <ladbs.refunds@lacity.org>, STEVE HOFFMAN <asher.hoffpi@yahoo.com>

Good Afternoon Steve,

Thank you for your email. I will print your statement and attach it to your claim to have it reconsidered. Thank you and have a great day:)
[Quoted text hidden]
--
Selenia Jessika Garcia
City of Los Angeles, Dept. Building & Safety
Financial Services
201 N. Figueroa St., 7th Floor
Los Angeles, CA 90012
(213) 482-6890
email: LADBS.Refunds@lacity.org

CITY LA DBS
DEPARTMENT OF BUILDING AND SAFETY

STEVE A. HOFFMAN

Attorney At Law
4929 Wilshire Boulevard, Suite 410
Los Angeles, CA 90010
PHONE:(323) 997-1188/ FAX:(323) 937-1539

November 12, 2020

(NEW) PRE-LAWSUIT REQUEST FOR RECONSIDERATION OF DENIED LINKAGE FEE REFUND CLAIM
CALLY HARDY'S ATTACHED EMAIL CONFIRMS THAT THE LINKAGE FEE MUST BE REDUCED BY THE DEMO'D DUPLEX
– CHARGED ON GROSS SQ FOOTAGE OF 6014, INSTEAD OF NET OF 3,019, AFTER 2,995 DEMO;

Via Email Only – (LADBS has been closed for Covid 19)
City Clerk
Room 395, City Hall
200 N. Spring Street
Los Angeles, CA 90012

Refund Claim #	**150132**
Job Location	**745 -747 Moreno Ave, Los Angeles, CA 90049**
Permit #	**19010 - 30000 - 04558** and **19019 - 30000 - 05178**
Linkage Fee Charged:	**$111,619.84** (6,014 sq ft)
Amount Overcharged :	**$53,910.00** (2,995 sq ft of demo)

Dear LADBS:

(NEW) PRE-LAWSUIT REQUEST FOR RECONSIDERATION OF DENIED CLAIM: CALLY HARDY'S ATTACHED EMAIL CONFIRMS THAT THE LINKAGE FEE MUST BE REDUCED BY THE DEMO'D DUPLEX: To avoid the need for a lawsuit, attached is the email to and from Cally Hardy of City Planning, stating as follows:

> **Emailed Question To Cally Hardy**:
> We are again requesting your guidance and clarification so that the Ordinance can be applied correctly. A similar issue has come up on this 745 -747 Moreno address. Within a 12-month period, my developer client Demo'd a 2,995 sq ft Duplex and built another 6,014 sq ft Duplex in its place, i.e., the same use. Permit Numbers are 19010 - 30000 - 04558 and 19019 - 30000 - 05178.
>
> **Clarification #1**:
> Please confirm that under the Ordinance, LAMC 19.18 C.2, the Linkage Fee should be calculated by deducting the RFA of the Demo'd-within-the-12-months 2,995 Duplex, from the new 6,014 sq ft replacement Duplex, i.e., the same use.
>
> **Clarification #2**:
> Please also confirm that if within a 12-month period, a developer Demo'd a multi-unit apartment building and replaced it with a new multi-unit apartment building, under the Ordinance, LAMC 19.18 C.2, the Linkage Fee should be calculated by deducting the RFA of the multi-unit apartment building Demo'd-within-the-12-months from the new replacement multi-unit apartment building, i.e., the same use.
>
> **Emailed Answer from Cally Hardy**:
> My apologies for the delay. **You are correct**, with the exception that the definition of Floor Area, and not Residential Floor Area, would be used here to calculate the fee for multifamily residential development.
>
> **The interpretation is based on the same language in 19.18 C.2 that states that the fee is "calculated as the amount of new or added Floor Area in the**

> **Development Project devoted to the uses described in the Linkage Fee schedule, as determined by the Department of Building and Safety, multiplied by the amount of the applicable fee, as found in the most recent Linkage Fee schedule adopted by City Council, at the time the building permit for the Development Project is issued, minus any deductions or credits.** (Emphasis added.)

Signed Contractor's Authorization: Also attached is the signed Contractor's Authorization from SCALA, for the refund to be paid to LA19A, LLC.

(NEW) PRE-LAWSUIT REQUEST FOR RECONSIDERATION OF DENIED CLAIM: CALLY HARDY'S ATTACHED EMAIL CONFIRMS THAT THE LINKAGE FEE MUST BE REDUCED BY THE DEMO'D DUPLEX: To avoid the need for a lawsuit on Cally Hardy's email directing that the Linkage Fee on ALL development projects, **including Multi-Unit**, must be calculated on the net increase in square footage after deducting the demo'd square feet, please reconsider this erroneous denial and approve the **$53,910.00** refund. Thank you.

Very truly yours,

Steve Hoffman, Esq.

Re: 745 -747 Moreno

← Back Archive Move Delete Spam •••

STEVE HOFFMAN Hi Cally: I hope you are well. It was my pleasure speaking with you two weeks ago. I j Wed, Nov 11 at 9:05 AM

Cally Hardy <cally.hardy@lacity.org> Thu, Nov 12 at 11:21 AM
To: STEVE HOFFMAN
Cc: STEVE HOFFMAN

Hi Steve,

My apologies for the delay. You are correct, with the exception that the definition of Floor Area, and not Residential Floor Area, would be used here to calculate the fee for multifamily residential development.

The interpretation is based on the same language in 19.18 C.2 that states that the fee is "calculated as the amount of new or added Floor Area in the Development Project devoted to the uses described in the Linkage Fee schedule, as determined by the Department of Building and Safety, multiplied by the amount of the applicable fee, as found in the most recent Linkage Fee schedule adopted by City Council, at the time the building permit for the Development Project is issued, minus any deductions or credits."

> Show original message

--

LOS ANGELES CITY PLANNING

Cally Hardy (she/her/hers)
City Planning Associate
Los Angeles City Planning
200 N. Spring St., Room 750
Los Angeles, CA 90012
Planning4LA.org
(213) 978-1643

E-NEWS

...45 -747 Moreno Ave, Los Angeles, CA 90049

From: STEVE HOFFMAN (hoffpi@sbcglobal.net)

To: cally.hardy@lacity.org

Cc: asher.hoffpi@yahoo.com

Date: Wednesday, October 14, 2020, 4:09 PM PDT

Hi Cally:

I hope you are well.

Thank you for your September 21, 2020 email, pasted below, regarding 388 Homewood.

We are again requesting your guidance and clarification so that the Ordinance can be applied correctly. A similar issue has come up on this 745 -747 Moreno address. Within a 12-month period, my developer client Demo'd a 2,995 sq ft Duplex and built another 6,014 sq ft Duplex in its place, i.e., the same use. Permit Numbers are 19010 - 30000 - 04558 and 19019 - 30000 - 05178.

Clarification #1:
Please confirm that under the Ordinance, LAMC 19.18 C.2, the Linkage Fee should be calculated by deducting the RFA of the Demo'd-within-the-12-months 2,995 Duplex, from the new 6,014 sq ft replacement Duplex, i.e., the same use.

Clarification #2:
Please also confirm that if within a 12-month period, a developer Demo'd a multi-unit apartment building and replaced it with a new multi-unit apartment building, under the Ordinance, LAMC 19.18 C.2, the Linkage Fee should be calculated by deducting the RFA of the multi-unit apartment building Demo'd-within-the-12-months from the new replacement multi-unit apartment building, i.e., the same use.

Thank you for your anticipated guidance and clarification.

Best,

Steve Hoffman, Esq.
Attorney at Law
4929 Wilshire Blvd., Suite 410
Los Angeles, CA 90010-3817
(323) 997-1188

Steve A. Hoffman
The Law Offices of Steve A. Hoffman
4929 Wilshire Blvd. Suite 410
Los Angeles, CA 90010
Tel. (323) 997-1188
Fax. (323) 937-1539

Contractor's/Expeditor's Acknowledgement:

I, Daniel Bibawi, Authorized Agent/Managing Officer for SCALA hereby authorize LA19A, LLC to receive any and all refunds of any and all building permit overcharges and refunds, including any Linkage Fee refunds, for 745-747 Moreno Ave, Los Angeles CA 90049.

Dated: 10/22/20 By: _____
Daniel Bibawi, Authorized Agent/Managing Officer for SCALA

150132

RECEIVED
2020 APR 10 PM 3:06
CITY OF LOS ANGELES
FINANCE SERVICES
BUILDING & SAFETY

CITY LADBS
DEPARTMENT OF BUILDING AND SAFETY

CLAIM FOR REFUND

CLAIM #____

RECEIVED
CITY CLERK'S OFFICE
2020 APR -3 PM 1:08
CITY CLERK

Received Date Stamp

(First)
LA19A, LLC & its attorney, The Law Office of Steve Hoffman

Mailing Address (Street) (City) (State/Zip)
C/O The Law Office of Steve Hoffman, 4929 Wilshire Blvd., Suite 410, Los Angeles, CA 90010

Area Code/Phone Number
(323) 997-1188

REFUND INFORMATION

JOB LOCATION: 745 - 747 Moreno Ave, Los Angeles, CA 900496

Amount Claimed $ $53,910.00 **Date Fees Paid:** 11/25/19

RECEIPT #/PERMIT #/REFERENCE #: 19010 - 30000 - 04558 and 19019 - 30000 - 05178

STATE REASON FOR REQUESTING A REFUND - (Details):

See attached letter + Exhibits documenting that we are owed a Linkage Fee refund of $53,910.00.

We were charged on gross sq footage of 6014, instead of net of 3,019, after 2,995 demo.

Because of the attached attorney's fee lien, please make the check payable to:

"LA19A, LLC & Law Office of Steve Hoffman" and mail to 4929 Wilshire Blvd., #410, L.A., CA 90010"

NOTE: A Claimant may be required to submit to examination under oath. (Charter Section 217.)
Presentation of a false claim is a felony. (California Penal Code Section 72.)

I HEREBY CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE.

Steve Hoffman, Esq., Attorney for LA19A, LLC	April 2, 2020
SIGNATURE AND TITLE OF CLAIMANT	DATE

FOR DEPARTMENT OF BUILDING & SAFETY USE ONLY

AMOUNT APPROVED FOR REFUND $ 0

REMARKS: Project is considered a development project (2) exemptions to linkage fee do not apply. Therefore, a refund is recommended.

* Exemption doesn't apply to duplex. Therefore, reconsideration is still denied.

Audited by: CG	*Date:* 06/09/20 09/16/20
Approved by: CG	*Date:* 6/17/20 9/23/20

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities

City of Los Angeles
Department of Building and Safety
REPORT ON CLAIM FOR REFUND

Sent to: Eng'r
Location:
Date: ~~APR 2 0 2020~~

Linkage Fee only

CLAIM NO.: 150132

Reconsideration AUG 1 0 2020

OPERATION DIVISIONS REPORT AND RECOMMENDATIONS

1. Did Building and Safety perform any work for which the permit or receipt was issued? YES ✓ NO ____

2. Are reasons given by claimant correct? YES ____ NO ____ N.A. ✓

   If "NO," please explain ____

3. Of the gross amount claimed, is the portion of the amount claimed pertaining to (these) particular item(s) correct? YES ✓ NO ____ Should be ____

4. If computations are involved, show computation on reverse side of this form or attach a separate sheet

5. Did Department initiate action resulting in an error? YES ____ NO ✓

   If "YES," please explain ____

6. Is claim over one year from date of expiration? YES ____ NO ✓

   If "YES," was permit extended? ____

7. Is a refund recommended? YES ____ NO* ✓

   *Explain under item 10

8. Is this a duplicate permit or receipt of the same job or item? YES ____ NO ✓

   If "YES," indicate other permit or receipt number(s) ____

RECEIVED
2020 AUG 27 PM 5: 1
CITY OF LOS ANGELES
FINANCIAL SERVICES
BUILDING & SAFETY

9. Enter this claim for refund number on your office copy of the receipt and/or permit, or other records.

   Date entered ____

10. FURTHER COMMENT OR CLARIFICATION OF THE ABOVE ITEMS (use back of form if more space required):

Same comments as before, where duplex is subject to the ordinance # 185342 and exemption does not apply to duplex.
In addition, fee calculation refer to Development Project which is defined in the ordinance already. This reconsideration does not change the decision made by prior reviewer and will stay as not recommended for refund.

Date: 8/18/2020 Signature of Recommender: ____ Ext. 310-575-8080

Division: Permit & Engineering Approved: ____ 8/21/20
Bureau, Division, district or Branch head

MISC/Form 03 (6/1/2015)

www.ladbs.org

City of Los Angeles
Department of Building and Safety
REPORT ON CLAIM FOR REFUND

Sent to: Eng Ir
Location:
Date: April 20, 2020

Linkage fee only

CLAIM NO.: 150132

OPERATION DIVISIONS REPORT AND RECOMMENDATIONS

1. Did Building and Safety perform any work for which the permit or receipt was issued? YES ✓ NO

2. Are reasons given by claimant correct? YES NO N.A. ✓

If "NO," please explain

3. Of the gross amount claimed, is the portion of the amount claimed pertaining to (these) particular item(s) correct? YES ✓ NO Should be

4. If computations are involved, show computation on reverse side of this form or attach a separate sheet

5. Did Department initiate action resulting in an error? YES NO ✓

If "YES," please explain

6. Is claim over one year from date of expiration? YES NO ✓

If "YES," was permit extended?

7. Is a refund recommended? YES NO* ✓
*Explain under item 10

8. Is this a duplicate permit or receipt of the same job or item? YES NO ✓
If "YES," indicate other permit or receipt number(s)

RECEIVED
2020 MAY 14 AM 10:16
CITY OF LOS ANGELES
FINANCE SERVICES
BUILDING & SAFETY

9. Enter this claim for refund number on your office copy of the receipt and/or permit, or other records.

Date entered

10. FURTHER COMMENT OR CLARIFICATION OF THE ABOVE ITEMS (use back of form if more space required):

The proposed duplex is subject to ordinance #185342. The project is considered a 'development project' and therefore the linkage fee applies. Since the project is a duplex and not a replacement of a single family dwelling the exemptions for linkage fee do not apply. Therefore a refund of linkage fees is not recommended.

Date: 5/7/2020 Signature of Recommender: Ext. 58080
Division: Plan check Approved: 5/11/20
Bureau, Division, district or Branch head

MISC/Form 03 (6/1/2015) www.lacbs.org

150132

STEVE A. HOFFMAN

Attorney At Law
4929 Wilshire Boulevard, Suite 410
Los Angeles, CA 90010
PHONE:(323) 997-1188/ FAX:(323) 937-1539

July 14, 2020

PRE-LAWSUIT REQUEST FOR RECONSIDERATION OF DENIED LINKAGE FEE REFUND CLAIM – CHARGED ON GROSS SQ FOOTAGE OF 6014, INSTEAD OF NET OF 3,019, AFTER 2,995 DEMO;

Via Email Only – (LADBS has been closed for Covid 19)
City Clerk
Room 395, City Hall
200 N. Spring Street
Los Angeles, CA 90012

Refund Claim #	**150132**
Job Location	**745 -747 Moreno Ave, Los Angeles, CA 90049**
Permit #	**19010 - 30000 - 04558** and **19019 - 30000 - 05178**
Linkage Fee Charged:	**$111,619.84** (6,014 sq ft)
Amount Overcharged :	**$53,910.00** (2,995 sq ft of demo)

Dear LADBS:

PRE-LAWSUIT REQUEST FOR RECONSIDERATION OF DENIED CLAIM:

To avoid the need for a lawsuit on the circled black and white language of the **"Fee Calculation,"** Section **C.2 of Ordinance #185342 (page 8)** and the **City's Linkage Fee Implementation Memo (page 2)**, both of which state that the Linkage Fee on ALL development projects, must be calculated on the net increase in square footage after deducting the demo'd square feet, please reconsider this erroneous denial.

1. **Exhibit "1" claim**: Contrary to the denial letter, our **Exhibit "1"** claim was **NOT** claiming an "***Exemption***" for the Linkage Fee. Instead, our Claim was relying on the "***Fee Calculation***," Section **C.2** of **Ordinance #185342, (page 8)**, and the **City's Linkage Fee Implementation Memo (page 2)**, both of which state that the linkage fee on a **development project (including "multi-unit")** must be charged on the **net square footage after deducting demo/existing square footage**. **Our overcharge**: Instead of being charged on the gross square footage of 6014, the Linkage Fee must be calculated on the net of 3,019 after deducting the 2,995 demo.

2. **Exhibit "2" Denial Letter**: The City's Denial letter dated June 18, 2020 and postmarked July 7, 2020, states, as follows:

> "The proposed duplex is subject to ordinance #185342. The project is considered a development project and therefore a linkage fee applies. **Since the project is a duplex and not a replacement of a single family dwelling the *exemption* for linkage fee do not apply.**" (Emphasis added.)

3. **Exhibit "3" Ordinance #185342**: Ordinance #185342, with portions circled, states, as follows:

(a) The "**Exemptions," section B.2 of Ordinance #185342 (page 4)**, states that the exemption for net-increase-of-less-than-1,500-square-feet, is limited to single family homes, as follows:

> "**Any replacement of a single-family detached home resulting in a net increase of 1,500 square feet or less of Floor Area from the prior home that existed on the property.**" (Emphasis added.)

(b) In sharp contrast, the "**Fee Calculation," section C.2 of Ordinance #185342 (page 8)**, states that the method of calculating the Linkage Fee for **ALL** Development Projects (NOT just **single-family detached home**), is as follows:

"**For each Development Project, the Linkage Fee shall be calculated as the amount of new or added Floor Area in the Development Project devoted to the uses described in the Linkage Fee schedule, as determined by the Department of Building and Safety, multiplied by the amount of the applicable fee, as found in the most recent Linkage Fee schedule adopted by City Council, at the time the building permit for the Development Project is issued, minus any deductions or credits**." (Emphasis added.)

4. **Exhibit "4" the City's Linkage Fee Implementation Memo**: The City's Linkage Fee Implementation Memo, with portions circled, likewise states on **page 2**, as follows:

How is the Fee Calculated?
For each Development Project, the Linkage Fee is calculated by the Department of Building and Safety as follows:
...

1) **The amount of new or added floor area in the Development Project devoted to the uses described in the Linkage Fee Schedule below (after subtracting any eligible demolished floor area** as defined in LAMC 12.03 within the prior year):

Linkage Fee Schedule as of June 29, 2018*

Type of Development Project
Residential Uses
(single-family home or **multifamily with 6 or more units**)

Residential Uses **(2-5 units)** (Emphasis added.)

5. To avoid the need for a lawsuit on the black and white language of the "**Fee Calculation**," Section **C.2 of Ordinance #185342 (page 8)**, and **the City's Linkage Fee Implementation Memo (page 2)**, both of which state that the Linkage Fee on ALL development projects, must be calculated on the net increase in square footage after deducting the demo'd square feet, please reconsider this erroneous denial. Thank you.

Very truly yours,

Steve Hoffman, Esq.

Plans submitted on or after:

February 17, 2018:	Effective date of AHLF ordinance (no fee applies)
June 18, 2018:	One-third of full fee amount at the time of building permit issuance
December 20, 2018:	Two-thirds of full fee amount at the time of building permit issuance
June 17, 2019:	Full fee amount

How is the Fee Calculated?
For each Development Project, the Linkage Fee is calculated by the Department of Building and Safety as follows.

1) The amount of new or added floor area in the Development Project devoted to the uses described in the Linkage Fee Schedule below (after subtracting any eligible demolished floor area as defined in LAMC 12.03 within the prior year);
2) Multiplied by the amount of the applicable fee, depending on the market area in which the project is located, and type of project, at the time the building permit for the Development Project is issued;
3) Multiplied by the applicable phase-in ratio (⅓ or ⅔, based on when a building permit application or a complete planning or zoning entitlement is submitted). This phase-in ratio is applicable only during the initial phase-in period;
4) Minus any applicable deductions or credits.

Payment of Linkage Fee

- The Linkage Fee is due and payable prior to the issuance of a building permit for the Development Project (i.e. not a demolition permit or grading permit).
- The fee amount is based on the fee schedule and market area maps in effect at the time the building permit for the project is issued and the phase-in ratio in effect at the time of submittal.

Linkage Fee Schedule as of June 29, 2018*

	Low Market Area	Medium Market Area	Medium-High Market Area	High Market Area
Type of Development Project	Fee per Square Foot			
Residential Uses (single-family home or multifamily with 6 or more units)	$8	$10	$12	$18
Residential Uses (2-5 units)	$1	$1	$1	$18
Nonresidential Uses (including Hotels)	$3	$4	N/A	$5
Additional Charge for the Net Loss of Dwelling Units (added to any other applicable fees)	$3	$3	$3	$3

* Please check the current Linkage Fee Schedule maintained by the Department of City Planning for the most up to date information.

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

VAN AMBATIELOS
PRESIDENT

JAVIER NUNEZ
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CITY OF LOS ANGELES

CALIFORNIA

ERIC GARCETTI
MAYOR

DEPARTMENT OF
BUILDING AND SAFETY
201 NORTH FIGUEROA STREET
LOS ANGELES CA 90012

OSAMA YOUNAN P E
GENERAL MANAGER
SUPERINTENDENT OF BUILDING

June 18, 2020

LA19, LLC & ITS ATTORNEY,
THE LAW OFFICE OF STEVE HOFFMAN
4929 Wilshire Blvd Suite 410
Los Angeles, CA 90010

REFUND CLAIM NO	150132
DATE CLAIM FILED	04/02/2020
JOB LOCATION	745-747 Moreno Ave Los Angeles, CA 90049

This is to inform you that your "Claim for Refund" has been
(X) Denied

This determination is due to the following reason(s), based on Section 22 12 and 22 13 of the Los Angeles Municipal Code

(X) The proposed duplex is subject to ordinance #185342 The project is considered a development project and therefore the linkage fee applies Since the project is a duplex and not a replacement of a single family dwelling the exemptions for linkage fee do not apply

If you have any questions, please send an email to * LADBS Refunds@lacity org * (preferred) or call 213-482 6890

AN EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

ORDINANCE NO. 185342

An ordinance adding Section 19.18 and amending Section 16.02 of the Los Angeles Municipal Code to establish an Affordable Housing Linkage Fee.

WHEREAS, the City Council of the City of Los Angeles ("Council") recognizes that the City of Los Angeles ("City") is facing a housing crisis, and further acknowledges the need to facilitate the availability of housing products at different levels of affordability in order to address the housing needs of the entire community;

WHEREAS, the Council desires to adopt a fee to help address the increased need for affordable housing connected with new nonresidential development and the development of new market rate residential units ("Affordable Housing Linkage Fee");

WHEREAS, the Council has caused a study to be prepared that analyzes whether there is a reasonable relationship between the development of nonresidential projects and new market rate residential units and the need to increase the supply of new affordable housing;

WHEREAS, that study, prepared by BAE Urban Economics, entitled "Los Angeles Affordable Housing Linkage Fee Nexus Study" dated September 2016 ("Nexus Study"), demonstrates that such a nexus exists, and that the use of an Affordable Housing Linkage Fee for the purpose of increasing the supply of affordable housing in the City is justified;

WHEREAS, the Council has determined that the Affordable Housing Linkage Fee should be established consistent with the requirements applicable to fees for public facilities in California Government Code Section 66000 *et seq.*, commonly referred to as the Mitigation Fee Act, without determining that it is required to do so;

WHEREAS, the Council has published advance notice of the public hearing concerning the Affordable Housing Linkage Fee in a manner consistent with the Mitigation Fee Act, and during that period made available for public review and comment data indicating the estimated cost required to provide affordable housing and the potential revenue sources;

WHEREAS, the Council has determined that the Affordable Housing Linkage Fee is consistent with and implements the goals and objectives of the City's General Plan;

WHEREAS, the Affordable Housing Linkage Fee is intended to create a funding mechanism to increase the supply of affordable housing in the City without reference to a specific development or property;

WHEREAS, the City will not expend funds from the Affordable Housing Linkage Fee on any specific development prior to the completion of any required environmental

c. An Applicant for a Development Project who submits a Building Permit Application or a complete Planning or zoning entitlement application (whichever is first) 306 days after the effective date of this ordinance shall pay two-thirds of the total Linkage Fee amount due, based on the fee schedule and market area maps in effect at the time of the submittal of the Building Permit Application or complete Planning or zoning entitlement application.

d. An Applicant for a Development Project who submits a Building Permit Application or a complete planning or zoning entitlement application (whichever is first) 485 days or more after the effective date of this ordinance shall pay the total Linkage Fee amount due, based on the fee schedule and market area maps in effect at the time of the submittal of the Building Permit Application or complete Planning or zoning entitlement application.

2. **Exemptions.**

The Department of Building and Safety shall determine whether any of the following exemptions apply to a Development Project based on documentation submitted by the Applicant prior to the issuance of the building permit. The fee imposed by this section shall not apply to construction that includes any the following:

a. Less than 15,000 square feet of Additional Nonresidential Floor Area in any nonresidential building, other than parking garages and parking facilities, as determined by the Department of Building and Safety.

b. Any for-sale or rental housing development containing restricted affordable units where at least 40% of the total units or guest rooms are dedicated for moderate income households, or at least 20% of the total units or guest rooms are dedicated for low income households, or at least 11% of the total units or guest rooms are dedicated for very low income households, or at least 8% of the total units or guest rooms are dedicated for extremely low income households, for at least 55 years, where a covenant has been made with the Housing and Community Investment Department (HCIDLA) and required covenant and monitoring fees have been paid. Such a covenant shall also subject projects using this exemption to the replacement policies in Government Code Section 65915(c)(3), as that section may be amended from time to time, and to HCIDLA fees related to housing replacement determinations pursuant to state law, as set forth in this Code. For the purposes of this section, total units includes any units added by a density bonus or other land use incentive, consistent with the affordability levels defined in Government Code Section 65915, as that section may be amended from time to time.

c. Any Development Project being constructed by, or on behalf of: 1) a government or public institution such as a school, museum, homeless shelter or other similar projects that are intended for community use; or 2) any private Elementary and/or High School.

d. Any hospital. For purposes of this section, "hospital" means a facility, place, or building that is organized, maintained, and operated for the diagnosis, care, prevention, and treatment of human illness, physical or mental, including convalescence and rehabilitation and including care during and after pregnancy, or for any one or more of these purposes, for one or more persons, to which the persons are admitted for a 24-hour stay or longer.

e. A single-family detached home meeting one or more of the following conditions:

(1) Any addition of 1,500 square feet or less of Floor Area to an existing single-family detached home located in a single-family or multiple-family zone.

(2) New construction of any single-family detached home located in a single-family zone that is 1,500 square feet or less of Floor Area.

(3) Any replacement of a single-family detached home resulting in a net increase of 1,500 square feet or less of Floor Area from the prior home that existed on the property.

f. Either (1) an addition of 1,501 square feet or more of Floor Area to an existing single-family detached home located in a single-family zone, or (2) a replacement of a single-family detached home resulting in a larger single-family detached home with a net increase of 1,501 square feet or more of Floor Area from the prior home that existed on the property; provided, however, in either event, a covenant shall be recorded against the property prior to the issuance of a building permit for such addition or replacement requiring the owner of the property to pay the Linkage Fee if the home is sold within three years of the issuance of such building permit. The covenant shall automatically expire at the end of such three-year period, if no sale of the property has occurred during such three-year period. However, in the event of a sale of the property within such three-year period, the covenant shall not expire until a notice of covenant termination is recorded. A notice of covenant termination shall be provided by the City upon full payment of Linkage Fee due, based on the fee schedule in effect at the time of payment. The covenant shall run

with the land and bind all successive owners of the property until the Linkage Fee is fully paid.

g. An Accessory Dwelling Unit as defined by California Government Code Section 65852.2.

h. Any project located within the boundaries of the Central City West Specific Plan Area, as defined in Ordinance No. 163,094, if the Applicant agrees by covenant and agreement with the City or by development agreement to abide by the linkage fee and replacement housing obligations set forth in the Specific Plan for the Central City West Area.

i. A residential project that is subject to a greater affordable housing fee requirement or is required to provide one or more physical housing units pursuant to the Mello Act in order to satisfy its inclusionary housing obligations. In that case, the residential component of the project shall be exempt from the Linkage Fee requirements of this Section. Nonresidential portions of mixed-use Coastal Zone projects shall be analyzed separately from residential portions of mixed-use projects for the purposes of the Linkage Fee requirements of this section. Nonresidential portions of such projects shall be subject to this section. The provision of housing units or in-lieu fees to satisfy replacement housing obligations under the Mello Act (as opposed to inclusionary housing obligations) shall not exempt a project from the Linkage Fee requirements of this section.

j. A residential Development Project that is subject to affordable housing requirements pursuant to any land use policy or ordinance or development agreement that exceeds the Linkage Fee requirements of this section in either fee amount or on-site affordable housing percentages provided in paragraph 19.18.B.2.b.

k. A residential Development Project that is subject to affordable housing and labor requirements pursuant to LAMC 11.5.11.

l. Any Grocery Store, provided there is no existing Grocery Store within a one-third (1/3) mile radius of the Development Project site.

m. Any Adaptive Reuse Project that is a designated Historic-Cultural Monument and is being converted to a residential use.

n. Any nonresidential Floor Area within a Development Project that is located in the South Los Angeles Transit Empowerment Zone, also referred to as the "Slate-Z" Promise Zone Area, located in Low Market Areas according to the nonresidential area map. This exemption shall

only apply to Development Projects for which a Building Permit Application or complete planning or zoning entitlement application is submitted within three years of the effective date of this ordinance. This exemption will no longer be valid three years after the effective date of this ordinance.

3. **Protests, Adjustments and Waivers.**

a. An Applicant may protest the imposition of the Linkage Fee and request that the requirements of this section be adjusted or waived pursuant to Government Code Section 66020, *et seq.*, based on a showing that the application of the requirements of this section would effectuate an unconstitutional taking of property or otherwise have an unconstitutional application to the Development Project. Protests shall be filed with the Director.

b. On or before the date on which payment of the Linkage Fee is due, the Applicant shall pay the amount required by this section and serve a written notice to the Director with all of the following information: (1) a statement that the required payment is tendered, or will be tendered when due, under protest; and (2) a statement informing the Director of the factual elements of the dispute and the legal theory forming the basis for the protest or request for adjustment or waiver, along with the substantial evidence that supports the protest or request, including any supporting documentation. The protest must be filed at the time of approval or conditional approval of the Development Project or within 90 days after the imposition of the Linkage Fee. The City shall provide the Applicant with written notice as required by Government Code Section 66010(d)(1), as that section may be amended from time to time.

c. If the Director determines that application of the requirements of this section would effectuate an unconstitutional taking of property or otherwise have an unconstitutional application to a Development Project, the fee requirements shall be adjusted or waived to reduce the obligations under this section to the extent necessary to avoid an unconstitutional result. The Director shall render a decision within 75 days from the date the protest was received.

d. If an adjustment or waiver is granted, any change in the Development Project shall invalidate the adjustment or waiver. If the Director determines that no violation of the federal or state constitution would occur through application of this section, the requirements of this section shall remain fully applicable.

e. Failure of an Applicant to comply with the protest requirements of this Section or Government Code Section 66020, *et seq.*,

shall bar that Applicant from any action or proceeding or any defense of invalidity or unreasonableness of the imposition of the Linkage Fee.

C. Fee Calculation.

1. The City Council shall adopt, by resolution, a Linkage Fee schedule based on an analysis of the cost of mitigating the impact of the additional demand for affordable housing caused by Development Projects, and on the varying levels of economic feasibility in different geographic areas of the City based on current market conditions. The City Council shall also adopt, by resolution, a map or maps establishing the respective market areas throughout the City that inform the amount of the Linkage Fee to be assessed for a given Development Project.

2. For each Development Project, the Linkage Fee shall be calculated as the amount of new or added Floor Area in the Development Project devoted to the uses described in the Linkage Fee schedule, as determined by the Department of Building and Safety, multiplied by the amount of the applicable fee, as found in the most recent Linkage Fee schedule adopted by City Council, at the time the building permit for the Development Project is issued, minus any deductions or credits.

3. **Fee Adjustments and Reports.**

a. **Annual Inflation Adjustment.** The Linkage Fee shall be adjusted annually for inflation beginning on July 1, 2018, by the Director in accordance with the latest change in year-over-year Consumer Price Index for Urban Consumers (CPI-U) for the Los Angeles-Riverside-Orange County area, or if such index ceases to be published, by an equivalent index chosen by the Director. An updated Linkage Fee schedule shall be maintained by the Department of City Planning, which shall provide a copy of the adjusted schedule to the Mayor and City Council each year.

b. **Five-Year Market Area Adjustment.** Every five years, beginning on July 1, 2018, the Director, in association with HCIDLA shall undertake a new market area analysis and adjust market areas and geographies, where necessary, to reflect the most up to date rental and sales price information for each of the market areas. Any change to the Linkage Fee schedule other than the Annual Inflation Adjustment described in Paragraph (a) above shall be adopted by resolution of the City Council.

4. **Deductions or Credits.**

a. **Change of Use.** If the Development Project is the result of a change of use from nonresidential to residential, the Linkage Fee to be paid is the result of subtracting the equivalent fee amount that either was paid or would have been paid, based on the pre-existing use, from the fee amount required to be paid for the new use based on the most recent Linkage Fee schedule approved by the City Council. Deductions or credits shall not be applied to any portion of a Development Project comprised of additional Floor Area resulting from new construction. The calculation of a deduction or credit shall not result in a refund to an Applicant or be applied as a credit to another Development Project in a different location.

b. **Affordable Housing Units.** Any Restricted Affordable Units as defined in Section 12.22 A.25 of this Code may be subtracted from the total number of dwelling units or guest rooms in a building in determining the required Linkage Fee.

c. **Mixed Use.** The first 15,000 square feet of nonresidential use in a mixed-use building shall be excluded from the calculation of Floor Area for the purposes of determining the required Linkage Fee.

d. **Transfer of Floor Area Rights**. Any additional Floor Area that is obtained by a Development Project through the provision of public benefit payments pursuant to LAMC 14.5.9 shall be excluded from the calculation of Floor Area for purposes of determining the Linkage Fee for the Development Project.

e. **Other Affordable Housing Requirements.** In calculating Floor Area for purposes of determining the Linkage Fee for a Development Project, the following shall be excluded from that calculation:

(1) the Floor Area of the residential portion of a mixed-use Development Project that is subject to affordable housing requirements pursuant to any land use policy or ordinance or development agreement that exceeds the Linkage Fee requirements of this section in either fee amount or on-site affordable housing percentages provided in paragraph 19.18.B.2.b.

(2) the Floor Area of the residential portion of a mixed-use Development Project that is subject to affordable housing and labor requirements pursuant to LAMC 11.5.11.

f. **Land Dedication.** If the Housing and Community Investment Department accepts, on behalf of the City, an offer by an

Applicant to dedicate land offsite from the proposed location of the Development Project for the purpose of building affordable housing, the value of the land to be dedicated, to be determined as the average of two independent appraisals funded by the applicant, may be deducted from the Linkage Fee amount owed for the Applicant's Development Project. If the value of the dedicated land is more than the Linkage Fee owed for the Applicant's Development Project, the City shall bear no responsibility for the difference in value, nor shall that overage be applied as a credit to any future Development Project.

5. **Payment of Linkage Fee.** The Linkage Fee is due and payable by the Applicant prior to the issuance of a building permit for a Development Project. No additional fee shall be required for a project seeking an extension of an expired building permit.

6. **Refunds of Linkage Fee.** Any fee paid under the provisions of this section may be refunded to an Applicant if the application for the building permit has expired and was not utilized to begin construction of a Development Project.

D. Severability. If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance, which can be implemented without the invalid provisions and, to this end, the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted each and every provision and portion thereof not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would subsequently be declared invalid or unconstitutional.

Sec. 2. Paragraph C is added to Section 16.02 of Article 6 of Chapter 1 of the Los Angeles Municipal Code to read as follows:

C. Payment of the Linkage Fee pursuant to Section 19.18 of this Code.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By _____
ADRIENNE KHORASANEE
Deputy City Attorney

Date December 13, 2017

File No. CF 17-0274

m:\real prop_env_land use\land use\adrienne khorasanee\ordinances\linkage fee\affordable housing linkage fee ordinance.docx

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed DEC 13 2017

Approved 12/13/17

DEPARTMENT OF CITY PLANNING

City Hall • 200 N. Spring Street, Room 525 • Los Angeles, CA

July 16, 2018

TO: Department of City Planning Staff
Interested Parties

FROM: Kevin J. Keller, AICP
Executive Officer

SUBJECT: **AFFORDABLE HOUSING LINKAGE FEE ORDINANCE AND UPDATED FEE SCHEDULE**

The City Council adopted the Affordable Housing Linkage Fee (AHLF) Ordinance (#185,342) on December 13, 2017 and it became effective on February 17, 2018. The City Council subsequently adopted a revised fee schedule on June 29, 2018, increasing the residential fee amount in the City's high market areas.

The ordinance places a fee on certain new market-rate residential and commercial development to generate local funding for affordable housing. The amount of the fee varies by the type of use and by location. Because of the ordinance's phased-in approach, projects submitting plans on or after June 18, 2018 are subject to the fee and fees will increase over time. There are also various exemptions and deductions.

The basic provisions of the law are summarized below. This memo replaces the previous memo dated April 27th, 2018 in order to reflect the revised fee schedule.

Development Projects Subject to the Fee:
Unless determined to be exempt (per LAMC 19.18 B.2) the Linkage Fee applies to all *Development Projects,* which is defined as any project involving or requiring the issuance of a building permit that results in:

1) Additional dwelling units or guest rooms (after deducting the number of units/guest rooms removed in the previous year).
2) Additional nonresidential floor area (after deducting the amount of nonresidential floor area removed in the previous year).
3) A single-family residential project that results in a net increase of more than 1,500 square feet of floor area, unless the property will not be not sold within three years.
4) A change of use from nonresidential to residential.

Fee Phase-In Timeline
The fee is being phased-in based on the date by which a building permit application or complete planning entitlement application is submitted, whichever is first. This is calculated according to the date that plans sufficient for a plan check or zoning plan check are accepted by the Department of Building and Safety, or City Planning fees are paid for a planning entitlement, whichever is first. Projects submitted before June 18, 2018 will be exempt from the fee.

Plans submitted on or after:

February 17, 2018:	Effective date of AHLF ordinance (no fee applies)
June 18, 2018:	One-third of full fee amount at the time of building permit issuance
December 20, 2018:	Two-thirds of full fee amount at the time of building permit issuance
June 17, 2019:	Full fee amount

How is the Fee Calculated?

For each Development Project, the Linkage Fee is calculated by the Department of Building and Safety as follows:

1) The amount of new or added floor area in the Development Project devoted to the uses described in the Linkage Fee Schedule below (after subtracting any eligible demolished floor area as defined in LAMC 12.03 within the prior year);
2) Multiplied by the amount of the applicable fee, depending on the market area in which the project is located, and type of project, at the time the building permit for the Development Project is issued;
3) Multiplied by the applicable phase-in ratio (⅓ or ⅔, based on when a building permit application or a complete planning or zoning entitlement is submitted). This phase-in ratio is applicable only during the initial phase-in period;
4) Minus any applicable deductions or credits.

Payment of Linkage Fee

- The Linkage Fee is due and payable prior to the issuance of a building permit for the Development Project (i.e. not a demolition permit or grading permit).
- The fee amount is based on the fee schedule and market area maps in effect at the time the building permit for the project is issued and the phase-in ratio in effect at the time of submittal.

Linkage Fee Schedule as of June 29, 2018*

	Low Market Area	Medium Market Area	Medium-High Market Area	High Market Area
Type of Development Project	Fee per Square Foot			
Residential Uses (single-family home or multifamily with 6 or more units)	$8	$10	$12	$18
Residential Uses (2-5 units)	$1	$1	$1	$18
Nonresidential Uses (including Hotels)	$3	$4	N/A	$5
Additional Charge for the Net Loss of Dwelling Units (added to any other applicable fees)	$3	$3	$3	$3

* Please check the current Linkage Fee Schedule maintained by the Department of City Planning for the most up to date information.

Fee Adjustments
Fees will be adjusted annually for inflation beginning July 1, 2019 using the Consumer Price Index (CPI-U). The market areas may be updated by City Council every five years beginning July 1, 2023.

In Which Market Area is My Property Located?
Please see the Zoning Information Mapping Information System (ZIMAS) or City Council Resolution to check the market area for any property in the City of Los Angeles. The market areas can be seen in the map attachments below.

Exemptions
The following types of projects may be exempt from the payment of the Linkage Fee. Please see the ordinance language to verify the applicability of the exemption:

- Multifamily housing projects with at least the following shares of affordable housing, as determined by HCIDLA ,and as calculated based on the total number of units:
  - 40% moderate income units, or 20% low income units, or 11% very low income units, or 8% extremely low income units.
  - Other on-site affordable housing or fee payments in excess of the AHLF requirements.
  - Affordable housing required by the Mello Act, Central City West SP, or Measure JJJ (LAMC 11.5.11).
- Non-residential developments less than 15,000 square feet.
- Single-family detached homes (or additions) that result in less than 1,500 of net square feet. Additional floor area in excess of this amount is also exempt if the home remains under the same ownership for three years from the issuance of a building permit. If not exempt, all net new floor area added to a site is charged the fee.
- Developments constructed by or on behalf of a government agency or public institution like public schools, public museums and homeless shelters, as well as private elementary or high-schools.
- Hospitals.
- Accessory Dwelling Units (ADUs).
- Grocery stores, if there is not an existing one within one-third mile of the project.
- Adaptive Reuse projects involving a designated Historic-Cultural Monument with no increase in floor area.
- Non-residential floor area located in the SLATE-Z South LA Transit Empowerment Zone (Promise Zone) within first three years of effective date of ordinance.

Deductions/Credits
The following types of projects may be eligible for a deduction or credit on the otherwise payable fee:

- Applicable fee credit of prior nonresidential uses when converted to residential uses through a change of use.
- Floor area of Restricted Affordable Units (per LAMC 12.22 A. 25) in a market rate development.
- Floor area from the residential portion of a mixed-use building if the development is subject to certain other affordable housing requirements.
- First 15,000 square feet of nonresidential floor area in a mixed-use building.
- Any floor area that accrued as a result of a Public Benefit Payment as part of a Transfer Floor Area Right approval (per LAMC 14.5.9).
- Value of any land dedication for the purpose of affordable housing, as approved by HCIDLA.

TRANSMISSION VERIFICATION REPORT

TIME : 04/02/2020 18:00
NAME :
FAX :
TEL :
SER.# : U63274C4J639500

DATE,TIME	04/02 17:58
FAX NO./NAME	12134826591
DURATION	00:01:25
PAGE(S)	11
RESULT	OK
MODE	STANDARD ECM

CITY LADBS
DEPARTMENT OF BUILDING AND SAFETY

Collected

CLAIM FOR REFUND

04/02 17:58

CLAIM #____

Received Date Stamp

Print Name of Claimant (Last) (First)
LA19A, LLC & its attorney, The Law Office of Steve Hoffman

Mailing Address (Street) (City) (State/Zip)
C/O The Law Office of Steve Hoffman, 4929 Wilshire Blvd., Suite 410, Los Angeles, CA 90010

(Area Code) (Phone Number)
(323) 997-1188

REFUND INFORMATION

JOB LOCATION: 745 - 747 Moreno Ave, Los Angeles, CA 900496

Amount Claimed: $53,910.00 Date Fees Paid: 11/25/19

RECEIPT #/PERMIT #/REFERENCE #: 19010 - 30000 - 04558 and 19019 - 30000 - 05178

STATE REASON FOR REQUESTING A REFUND - (Details):

See attached letter + Exhibits documenting that we are owed a Linkage Fee refund of $53,910.00.
We were charged on gross sq footage of 6014, instead of net of 3,019, after 2,995 demo.

Because of the attached attorney's fee lien, please make the check payable to:

"LA19A, LLC & Law Office of Steve Hoffman" and mail to 4929 Wilshire Blvd., #410, L.A., CA 90010"

NOTE: A Claimant may be required to submit to examination under oath. (Charter Section 217.)
Presentation of a false claim is a felony. (California Penal Code Section 72.)

STEVE A. HOFFMAN

Attorney At Law
4929 Wilshire Boulevard, Suite 410
Los Angeles, CA 90010
PHONE:(323) 997-1188/ FAX:(323) 937-1539

April 2, 2020

(1) REQUEST FOR REFUND OF Overcharged LINKAGE FEE
– CHARGED ON GROSS SQ FOOTAGE OF 6014, INSTEAD OF NET OF 3,019, AFTER 2,995 DEMO;
(2) NOTICE OF REPRESENTATION AND ATTORNEY'S FEE LIEN ON REFUND

Via Email & Fax Only – (LADBS has been closed for Covid 19)
City Clerk
Room 395, City Hall
200 N. Spring Street
Los Angeles, CA 90012

Re:	**745 - 747 Moreno Ave, Los Angeles, CA 90049**	
	Permit #	**19010 - 30000 - 04558** and **19019 - 30000 - 05178**
	Linkage Fee Charged:	**$111,619.84** (6,014 sq ft)
	Amount Overcharged :	**$53,910.00** (2,995 sq ft of demo)
	Date Paid:	**11/25/19**

Dear LADBS:

1. **NOTICE OF REPRESENTATION AND ATTORNEY'S FEE LIEN ON $53,910.00 IN Overcharged LINKAGE FEES:** This office is also claiming an attorney's fees lien on the refund for the overcharged Linkage Fee and all checks must include our name and be mailed to our office. WARNING: The failure of LADBS to honor an attorney's fee lien, constitutes conversion, and entitles the attorney to maintain a separate lawsuit against LADBS for payment of his attorney's fees, plus treble damages. See, e.g., *Weiss v. Marcus*, 51 Cal.3d 590; *Siciliano v. Fireman's Fund*, 62 Cal.App.3d 745; *Fracasse v. Brent*, 6 Cal.3d 784; and *Kaiser Foundation Health Plan v. Aguiluz*, (1996) 47 Cal. App. 4th 302. Please communicate only with this office regarding this refund and our lien.

2. **Documentation**: In support of LA19A, LLC's **Application for Refund of the Overcharged $53,910.00 in Linkage Fees** – CHARGED ON GROSS SQ FOOTAGE OF 6014, INSTEAD OF NET OF 3,019 AFTER 2,995 DEMO – we have attached the following to this letter and the Claim for Refund Form:

Exhibit 1:	**Building Permit (Single Family) # 19010 - 30000 - 04558**, confirming we were charged for **6,014 square feet of BUILT floor area**, and the receipt for payment of the **$111,619.84 Linkage Fee**.
Exhibit 2:	**Demo Permit # 19019 - 30000 - 05178, confirming 2,995 square feet of DEMO'd floor area**. Note that after deducting the Demo'd square floor area, the net increase of floor area is **3019** square feet.
Exhibit 3:	The City's Linkage Fee Implementation Memo stating that the Linkage Fee should be charged on the net increase in floor area.

3. **Payment & Lien on refund of overcharged $53,910.00 in Linkage Fees**: Please issue LA19A, LLC's **$53,910.00** Linkage Fee refund, payable to: **"LA19A, LLC & S Hoffman Tr,"** and mail to Steve Hoffman, Esq., 4929 Wilshire Blvd., Suite 410, L.A., CA 90010. Thank you.

Very truly yours,

Steve Hoffman, Esq.

STEVE A. HOFFMAN

Attorney At Law
4929 Wilshire Boulevard, Suite 410 Los Angeles, CA 90010
PHONE: (323) 997-1188 **FAX:** (323) 937-1539
Email: hoffpi@sbcglobal.net Website: www.Hoffmanpi.com

DESIGNATION, LIEN, PAYMENT INSTRUCTIONS & AUTHORIZATION TO RELEASE RECORDS

LA19A, LLC hereby designates attorney Steve A. Hoffman to represent it in obtaining the linkage fee refund for 745 - 747 Moreno Ave Los Angeles, CA 90049. It further consents to have the City and LADBS, release to Steve A. Hoffman, Esq.'s office, documents and information, regarding this matter.

LIEN: It grants Steve Hoffman, Esq, a lien on its linkage fee refunds for 745 - 747 Moreno Ave Los Angeles, CA 90049 and irrevocably requests that the refund check(s) be payable to "LA19A, LLC & attorney Steve A. Hoffman Trust Account" and mailed to Steve Hoffman, Esq., at 4929 Wilshire Blvd., Suite 410, Los Angeles, CA 90010. **This lien is only on the refunds/ overpayment, NOT on the property.**

Dated: April 2, 2020 By: DocuSigned by: Chantilly Brown
Chantilly Brown, Authorized Agent for LA19A, LLC

Lien

Chantilly Brown, Authorized Agent for LA19A, LLC

Exhibit "1"

745 - 747 S Moreno Ave

Permit #: 19010 - 30000 - 04558

Plan Check #: B19WL05727

Printed: 11/25/19 09:56 AM

Event Code:

Bldg-New GREEN - MANDATORY
1 or 2 Family Dwelling
Regular Plan Check
Plan Check

City of Los Angeles - Department of Building and Safety

APPLICATION FOR BUILDING PERMIT AND CERTIFICATE OF OCCUPANCY

Issued on: 11/25/2019
Last Status: Issued
Status Date: 11/25/2019

1. TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
BRENTWOOD TERRACE		421		M B 12-130/131	126B141 265	4264 - 007 - 026

-- (310) 550-7902

3. PARCEL INFORMATION

Area Planning Commission - West Los Angeles
LADBS Branch Office - WLA
Council District - 11
Community Plan Area - Brentwood - Pacific Palisades
Census Tract - 2643.02

District Map - 126B141
Energy Zone - 6
Near Source Zone Distance - 0
Thomas Brothers Map Grid - 631-F5
Thomas Brothers Map Grid - 631-F6

ZONE(S): R2-1

4. DOCUMENTS

ZI - ZI-2192 WLA Transportation Improveme
SPA - West LA Transportation Improvement a
RENT - YES
ORD - ORD-163205
ORD - ORD-171227
ORD - ORD-171492
ORD - ORD-186108
CPC - CPC-2005-8252-CA
CPC - CPC-2014-1457-SP

BUILDING PLAN CHECK

5. CHECKLIST ITEMS

Special Inspect - Anchor Bolts
Special Inspect - Structural Observation
Permit Flag - Rec and Parks Fee Memo Reqd
Std. Work Descr - Seismic Gas Shut Off Valve
Combine HVAC - Wrk. per 91.107.2.1.1.1
Combine Elec - Wrk. per 91.107.2.1.1.1
Combine Plumbg - Wrk. per 91.107.2.1.1.1

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
LA19A, LLC
26880 ALISO VIEJO PKWY, ALISO VIEJO 92656 --
Tenant:

Applicant: (Relationship: Agent for Owner)
DANIEL BIBAWI -
. -- (310) 550-7902

For Cashier's Use Only

W/O #: 91004558

CA BLDG STD COMMISSION

7. EXISTING USE

PROPOSED USE
(02) Duplex
(07) Garage - Private

8. DESCRIPTION OF WORK

(n) 2-story duplex with attached garage and roof trusses

9. # Elev or Stn & Dwg

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By: Kamran Ghotbi Ravandi
OK for Cashier: Daisy Guillen
DAS PC By:
Coord. OK:
Signature:
Date: 11/25/2019

11. PROJECT VALUATION - Final Fee Period

Permit Valuation: $600,000
PC Valuation:

Sewer Cap ID:
Total Bond(s) Due:

12. ATTACHMENTS

Plot Plan

For inspection requests, call toll-free (888) LA4BUILD (524-2845). Outside LA County, call (213) 482-0000 or request inspections via www.ladbs.org. To speak to a Call Center agent, call 311. Outside LA County, call (213) 473-3231.

* P 1 9 0 1 0 3 0 0 0 0 0 4 5 5 8 F N *

WL ESTE 302085184 11/25/2019 9:56:35 AM	
BUILDING PERMIT-RES	$2,964.00
ELECTRICAL PERMIT RES	$770.64
HTG/REF PMT RES	$385.32
PLUMBING PERMIT RES	$770.64
BUILDING PLAN CHECK	$0.00
BUILDING PLAN CHECK	$0.00
PLAN MAINTENANCE	$59.28
EI RESIDENTIAL	$78.00
DEV SERV CENTER SURCH	$150.84
SYSTEMS DEVT FEE	$301.67
CITY PLANNING SURCH	$181.40
MISCELLANEOUS	$10.00
PLANNING GEN PLAN MAINT SURCH	$211.63
SCHOOL DEV RES	$22,542.92
DWELLING UNIT	$400.00
RES DEVT TAX	$600.00
CA BLDG STD COMMISSION SURCHARGE	$24.00
BUILDING PLAN CHECK	$0.00
LINKAGE FEE	$111,619.84
Sub Total:	$141,070.18

Permit #: 190103000004558
Building Card #: 2019WL03565
Receipt #: 0302169338

13. STRUCTURE INVENTORY: (Note: Numeric measurement data in the format "number / number" implies "change in numeric value / total resulting numeric value")

19010 - 30000 - 04558

(P) Floor Area (ZC): +6014 Sqft / 6014 Sqft
(P) Height (ZC): +28 Feet / 28 Feet
(P) Landscape Area: +1693 Sqft / 1693 Sqft
(P) Length: +97.1 Feet / 97.1 Feet
(P) Stories: +2 Stories / 2 Stories
(P) Width: +48 Feet / 48 Feet
(P) Dwelling Unit: +2 Units / 2 Units
(P) NFPA-13D Fire Sprinklers Thru-out
(P) Wood (Plywood, OSB, etc.)Shearwall
(P) R3 Occ. Group: +6014 Sqft / 6014 Sqft
(P) U Occ. Group: +708 Sqft / 708 Sqft
(P) Parking Req'd for Bldg (Auto+Bicycle): +4 Stalls / 4 Sts
(P) Provided Compact for Bldg: +2 Stalls / 2 Stalls
(P) Provided Standard for Bldg: +2 Stalls / 2 Stalls
(P) Type V-B Construction
(P) Floor Construction - Concrete Slab on Grade
(P) Roof Construction - Wood Frame/Sheathing
(P) Wall Construction - Wood Stud

14. APPLICATION COMMENTS:

** Approved Seismic Gas Shut-Off Valve may be required. **

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:

16. CONTRACTOR, ARCHITECT & ENGINEER NAME	ADDRESS		CLASS	LICENSE #	PHONE #
(A) WALTERS,, JONATHAN A	4634 LAURELGROVE AVENUE,	STUDIO CITY, CA 91604		C33220	
(C) T J C HOME BUILDERS LLC	26880 ALISO VIEJO PKWY STE 100,	ALISO VIEJO, CA 92656	B	1025507	(949) 481-7026
(E) NGUYEN,, HUAN NGOC	13831 TYPEE WAY,	IRVINE, CA 92620		C64238	

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 180 days (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: B License No.: 1025507 Contractor: T J C HOME BUILDERS LLC

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

( ) I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

(X) I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: EMPLOYERS COMP. INS. CO. NAIC Policy Number: EIG247508702

( ) I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS ($100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. Lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323 or www.dhs.ca.gov/childlead.

20. CONSTRUCTION LENDING AGENCY DECLARATION

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code).

Lender's Name (If Any): Lender's Address:

21. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC).

By signing below, I certify that:

(1) I accept all the declarations above namely the Licensed Contractor's Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration / Lead Hazard Warning, Construction Lending Agency Declaration, and Final Declaration; and

(2) This permit is being obtained with the consent of the legal owner of the property.

Print Name: DAN BIBAWI Sign: Date: 11/25/2019 [ ] Contractor [X] Authorized Agent

Exhibit "2"

Exhibit "2"

745 S Moreno Ave

Permit #: **19019 - 30000 - 05178**
Plan Check #: B19WL05727
Event Code:
Printed: 11/25/19 09:59 AM

Bldg-Demolition
1 or 2 Family Dwelling
Regular Plan Check
Plan Check

City of Los Angeles - Department of Building and Safety

APPLICATION FOR INSPECTION TO DEMOLISH BUILDING OR STRUCTURE

Issued on: 11/25/2019
Last Status: Issued
Status Date: 11/25/2019

1. TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
BRENTWOOD TERRACE		421		M B 12-130/131	126B141 265	4264 - 007 - 026

3. PARCEL INFORMATION

Area Planning Commission - West Los Angeles
LADBS Branch Office - WLA
Council District - 11
Community Plan Area - Brentwood - Pacific Palisades
Census Tract - 2643.02

District Map - 126B141
Energy Zone - 6
Near Source Zone Distance - 0
Thomas Brothers Map Grid - 631-F5
Thomas Brothers Map Grid - 631-F6

ZONES(S): R2-1

4. DOCUMENTS

ZI - ZI-2192 WLA Transportation Improveme ORD - ORD-171227
SPA - West LA Transportation Improvement a ORD - ORD-171492
RENT - YES ORD - ORD-186108
ORD - ORD-163205 CPC - CPC-2005-8252-CA
CPC - CPC-2014-1457-SP

5. CHECKLIST ITEMS

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
LA19A, LLC
26880 ALISO VIEJO, ALISO, VIEJO/CA 92656 --
Tenant:

Applicant: (Relationship: Agent for Owner)
DANIEL BIBAWI -
-- (310) 550-7902

For Cashier's Use Only

W/O #: 91905178

DEMOLISH BUILDING OR STRUCTURE

Status Date: 11/25/2019

7. EXISTING USE

(01) Dwelling - Single Family
(07) Garage - Private

PROPOSED USE

(23) Demolition

8. DESCRIPTION OF WORK

Demolish (e) 1-story duplex with detached garage

Thomas Brothers Map Grid - 631-F5

9. # Bldgs on Site & Use

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By: Kamran Ghotbi Ravandi
OK for Cashier: Daisy Guillen
Signature:

DAS PC By:
Coord. OK:
Date: 11/25/2019

11. PROJECT VALUATION Final Fee Period

Permit Valuation: $10,000
PC Valuation:

Sewer Cap ID:
Total Bond(s) Due:

12. ATTACHMENTS

CEQA Bldg Demolition Notice
Plot Plan
Demo Affirmation Posting

For inspection requests, call toll-free (888) LA4BUILD (524-2845). Outside LA County, call (213) 482-0000 or request inspections via www.ladbs.org. To speak to a Call Center agent, call 311. Outside LA County, call (213) 473-3231.

P19019300000517 8FN

WL ESTE 302085185 11/25/2019 9:59:29 AM

DEMO PERMIT	$165.00
BUILDING PLAN CHECK	$0.00
BUILDING PLAN CHECK	$0.00
EI RESIDENTIAL	$1.30
DEV SERV CENTER SURCH	$4.99
SYSTEMS DEVT FEE	$9.98
CITY PLANNING SURCH	$9.90
MISCELLANEOUS	$10.00
PLANNING GEN PLAN MAINT SURCH	$11.55
CA BLDG STD COMMISSION SURCHARGE	$1.00
BUILDING PLAN CHECK	$0.00
Sub Total:	$213.72

Permit #: 190193000005178
Building Card #: 2019WL03566
Receipt #: 0302169339

LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection.

13. STRUCTURE INVENTORY (Note: Numeric measurement data in the format "number / number" implies "change in numeric value / total resulting numeric value")

19019 - 30000 - 05178

(P) Floor Area (ZC): -2995 Sqft / 0 Sqft
(P) Dwelling Unit: -1 Units / 0 Units
(P) R3 Occ. Group: -2995 Sqft / 0 Sqft
(P) U Occ. Group: -610 Sqft / 0 Sqft

at the permit issued

14. APPLICATION COMMENTS:

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:

16. CONTRACTOR, ARCHITECT & ENGINEER NAME	ADDRESS		CLASS	LICENSE #	PHONE #
(C) T J C HOME BUILDERS LLC	26880 ALISO VIEJO PKWY STE 100,	ALISO VIEJO, CA 92656	B	1025507	(949) 481-7026

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 180 days (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: B License No.: 1025507 Contractor: T J C HOME BUILDERS LLC

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

( ) I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

(X) I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: EMPLOYERS COMP. INS. CO. NAIC Policy Number: EIG247508702

( ) I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS ($100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. Lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323 or www.dhs.ca.gov/childlead.

20. CONSTRUCTION LENDING AGENCY DECLARATION

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code).

Lender's Name (If Any): _____ Lender's Address: _____

21. FINAL DECLARATION

I certify that I have read this application **INCLUDING THE ABOVE DECLARATIONS** and state that the above information **INCLUDING THE ABOVE DECLARATIONS** is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or result of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC).

By signing below, I certify that:

(1) I accept all the declarations above namely the Licensed Contractor's Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration / Lead Hazard Warning, Construction Lending Agency Declaration, and Final Declaration; and

(2) This permit is being obtained with the consent of the legal owner of the property.

Print Name: DAN BIBWI Sign: [redacted] Date: 11/25/2019 ☐ Contractor ☒ Authorized Agent

Exhibit "3"

Plans submitted on or after:

February 17, 2018:	Effective date of AHLF ordinance (no fee applies)
June 18, 2018:	One-third of full fee amount at the time of building permit issuance
December 20, 2018:	Two-thirds of full fee amount at the time of building permit issuance
June 17, 2019:	Full fee amount

How Is the Fee Calculated?

For each Development Project, the Linkage Fee is calculated by the Department of Building and Safety as follows:

1) The amount of new or added floor area in the Development Project devoted to the uses described in the Linkage Fee Schedule below (after subtracting any eligible demolished floor area as defined in LAMC 12.03 within the prior year);
2) Multiplied by the amount of the applicable fee, depending on the market area in which the project is located, and type of project, at the time the building permit for the Development Project is issued;
3) Multiplied by the applicable phase-in ratio (⅓ or ⅔, based on when a building permit application or a complete planning or zoning entitlement is submitted). This phase-in ratio is applicable only during the initial phase-in period;
4) Minus any applicable deductions or credits.

Payment of Linkage Fee

- The Linkage Fee is due and payable prior to the issuance of a building permit for the Development Project (i.e. not a demolition permit or grading permit).
- The fee amount is based on the fee schedule and market area maps in effect at the time the building permit for the project is issued and the phase-in ratio in effect at the time of submittal.

Linkage Fee Schedule as of June 29, 2018*

	Low Market Area	Medium Market Area	Medium-High Market Area	High Market Area
Type of Development Project	Fee per Square Foot			
Residential Uses (single-family home or multifamily with 6 or more units)	$8	$10	$12	$18
Residential Uses (2-5 units)	$1	$1	$1	$18
Nonresidential Uses (including Hotels)	$3	$4	N/A	$5
Additional Charge for the Net Loss of Dwelling Units (added to any other applicable fees)	$3	$3	$3	$3

* Please check the current Linkage Fee Schedule maintained by the Department of City Planning for the most up to date information.

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

VAN AMBATIELOS
PRESIDENT

JAVIER NUNEZ
VICE PRESIDENT

JOSELYN GEAGA-ROSENTHAL
GEORGE HOVAGUIMIAN
ELVIN W. MOON

CITY OF LOS ANGELES

CALIFORNIA

ERIC GARCETTI
MAYOR

DEPARTMENT OF
BUILDING AND SAFETY
201 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

OSAMA YOUNAN, P.E.
GENERAL MANAGER
SUPERINTENDENT OF BUILDING

June 18, 2020

LA19, LLC & ITS ATTORNEY,
THE LAW OFFICE OF STEVE HOFFMAN
4929 Wilshire Blvd. Suite 410
Los Angeles, CA. 90010

REFUND CLAIM NO: 150132
DATE CLAIM FILED: 04/02/2020
JOB LOCATION : 745-747 Moreno Ave. Los Angeles, CA. 90049

This is to inform you that your "Claim for Refund" has been:
(X) Denied

This determination is due to the following reason(s), based on Section 22.12 and 22.13 of the Los Angeles Municipal Code:

(X) The proposed duplex is subject to ordinance #185342. The project is considered a development project and therefore the linkage fee applies. Since the project is a duplex and not a replacement of a single family dwelling the exemptions for linkage fee do not apply.

If you have any questions, please send an email to * LADBS.Refunds@lacity.org.* (preferred) or call 213-482-6890.

AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

VAN AMBATIELOS
PRESIDENT

JAVIER NUNEZ
VICE PRESIDENT

JOSELYN GEAGA-ROSENTHAL
GEORGE HOVAGUIMIAN
ELVIN W. MOON

CITY OF LOS ANGELES

CALIFORNIA

ERIC GARCETTI
MAYOR

DEPARTMENT OF
BUILDING AND SAFETY
201 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

OSAMA YOUNAN, P.E.
GENERAL MANAGER
SUPERINTENDENT OF BUILDING

September 25, 2020

LA19, LLC & ITS ATTORNEY,
THE LAW OFFICE OF STEVE HOFFMAN
4929 Wilshire Blvd. Suite 410
Los Angeles, CA. 90010

REFUND CLAIM NO: 150132
DATE CLAIM FILED: 04/02/2020
JOB LOCATION : 745-747 Moreno Ave. Los Angeles, CA. 90049

This is to inform you that your "Claim for Refund" has been:
(X) Denied

This determination is due to the following reason(s), based on Section 22.12 and 22.13 of the Los Angeles Municipal Code:

(X) Same denial reason as before, the proposed duplex is subject to ordinance #185342 and exemption does not apply to duplex. In addition, fee calculation refers to development project which is defined in the ordinance already. This reconsideration does not change the decision made by prior reviewer, therefore, refund is denied reconsideration.

If you have any questions, please send an email to * LADBS.Refunds@lacity.org.* (preferred) or call 213-482-6890.

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