CITY OF LONG BEACH

Community Development Department
Planning Bureau
411 W. Ocean Boulevard, 2nd Floor, Long Beach, CA 90802
562.570.6194 | longbeach.gov/lbcd

Condominium Conversion Exclusions Certificate Filing Requirements

1. Notwithstanding any provision of LBMC Section 20.02.050 of the Long Beach Municipal Code, the conversion of a community apartment project or a stock cooperative to another form of ownership shall be excluded from all other provisions of LBMC Chapter 20.32 if the owner seeking such exclusion applies for and is granted a certification establishing entitlement to the exclusion under Section 66412 of the California Government Code pursuant to the provisions of this Section.

2. In order to be granted such certification, an owner shall apply for such certification, and the application shall include sufficient evidence and documentation to enable the certifying authority to make each and every requirement set forth in this Section.

3. Each application shall be accompanied by a nonrefundable fee to reimburse the City for its cost of accepting and processing the application in an amount as set forth from time to time by resolution of the City Council.

4. Each application shall also be accompanied by, and shall not be deemed complete unless accompanied by the following:

   - ☐ A statement applying for certification of exclusion signed by the person/party authorized to act for those with record title interest in the property for which the exclusion is sought

   - ☐ In the case of the conversion of a community apartment project, evidence that the provisions of California Government Code Subdivision 66412(g), relating to the property proposed for exclusion have been met (Sections 20.32.025(C)(1)).

   - ☐ In the case of the conversion of stock cooperatives, evidence that the provisions of California Government Code Section 66412(h) have been met (Section 20.32.025(C)(2))

   - ☐ In the case of either the conversion of community apartment or stock cooperative, an enforceable plan for assuring, to the satisfaction of the City, that the noticing, purchase option, and tenant disclosure provisions of Sections 20.32.040, 20.32.050 and 20.32.060 will be met; and

   - ☐ Evidence of insurable title in the project proposed for conversion.

5. The Community Development Department shall issue a certificate of exclusion for each project for which application is lawfully made if, and only if, the Community Development Director, or the Director's lawful designee, reviews the completed application and makes the makes the following findings:

   Community Apartment Project - All the following requirements shall be met to issue an exclusion certificate for a community apartment project:

☐ The property was subdivided before January 1, 1982, as evidenced by a recorded deed creating the stock cooperative, an assignment of lease, or issuance of shares to a stockholder.

☐ Subject to compliance with Sections 4290 and 4295, or with Sections 6626 and 6628, of the Civil Code, all conveyances and other documents necessary to effectuate the conversion shall be executed by the required number of owners in the cooperative as specified in the bylaws or other organizational documents. If the bylaws or other organizational documents do not expressly specify the number of owners necessary to execute the conveyances and other documents, a majority of owners in the cooperative shall be required to execute the conveyances or other documents. Conveyances and other documents executed under the foregoing provisions shall be binding upon and affect the interests of all parties in the cooperative.

☐ If subdivision, as defined in Section 66424, of the property occurred after January 1, 1980, both of the following requirements are met:

☐ A final or parcel map of that subdivision was approved by the local agency and recorded, with all of the conditions of that map remaining in effect after the conversion.

☐ No more than 49 percent of the shares in the project were owned by any one person as defined in Section 17, including an incorporator or director of the cooperative, on January 1, 1982.

Stock Cooperative Project - All the following requirements shall be met to issue an exclusion certificate for a stock cooperative project:

☐ The property was subdivided before January 1, 1982, as evidenced by a recorded deed creating the stock cooperative, an assignment of lease, or issuance of shares to a stockholder

☐ A person renting a unit in a cooperative shall be entitled at the time of conversion to all tenant rights in state or local law, including, but not limited to, rights respecting first refusal, notice, and displacement and relocation benefits

☐ Subject to compliance with Sections 4290 and 4295, or with Sections 6626 and 6628, of the Civil Code, all conveyances and other documents necessary to effectuate the conversion shall be executed by the required number of owners in the cooperative as specified in the bylaws or other organizational documents. If the bylaws or other organizational documents do not expressly specify the number of owners necessary to execute the conveyances and other documents, a majority of owners in the cooperative shall be required to execute the conveyances or other documents. Conveyances and other documents executed under the foregoing provisions shall be binding upon and affect the interests of all parties in the cooperative

☐ If subdivision, as defined in Section 66424, of the property occurred after January 1, 1980, both of the following requirements are met:

☐ A final or parcel map of that subdivision was approved by the local agency and recorded, with all of the conditions of that map remaining in effect after the conversion

☐ No more than 49 percent of the shares in the project were owned by any one person as defined in Section 17, including an incorporator or director of the cooperative, on January 1, 1982

☐ The local agency certifies that the above requirements were satisfied if the local agency, by ordinance, provides for that certification.

☐ With either a conversion of a community apartment or a stock cooperative, that evidence of insurable title in the property proposed for conversion has been filed with the City.

6. For more information on processing, please see LBMC Section 20.32.025.

To request this information in an alternative format or to request a reasonable accommodation, please contact the Community Development Department at longbeach.gov/lbcd and 562.570.3807. A minimum of three business days is requested to ensure availability; attempts will be made to accommodate requests with shorter notice.