



**Building and Safety  
Planning and  
Development**

In accordance with California State Health and Safety Code Section 17980.12, the owner of an unpermitted accessory dwelling unit (ADU) has the right to request a delay in enforcement of code violations for 5 years on the basis that correcting the violation is not necessary to protect health and safety and meet State Fire Marshall requirements.

Section 17980.12 of the Health and Safety code shall remain in effect until January 1, 2035, and as of that date is repealed.

**Building and Safety**  
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# ADU CODE ENFORCEMENT DELAY REQUEST FORM

The City of Berkeley is required to inform owners of accessory dwelling units (ADUs) of their right to request a delay in enforcement of code violations for five years, as long as correcting the violations is not necessary for protecting health and safety and meeting State Fire Marshall requirements. This form is a formal request for a delay in enforcement to be reviewed and approved by City staff.

**Building Information**

Address:  
APN #:

**Applicant Information**

Owner      Owner's Agent

Name:      Phone #:  
Address:      City, Zip:  
Email:

My unpermitted ADU was constructed/converted *prior to* January 1, 2020

My unpermitted ADU was constructed/converted *after* January 1, 2020

I hereby request that the City of Berkeley allow the five-year code enforcement delay as provided by California State Health and Safety Code Section 17980.12, to correct the violations that are not health and safety related.

I understand that upon the code enforcement delay approval, future violations made by the owner or tenants will result in the code enforcement delay being revoked.

Applicant Signature

Date

**Office Use Only**

Approved      Denied      Delay End Date:

Notes:

Staff Review Signature

Date

Staff Name