



AMNESTY PROGRAM APPLICATION FOR UNPERMITTED DWELLING UNITS

Building and Safety
Planning and Development

Program Overview:

The Amnesty Program for Unpermitted Dwelling Units will be limited to single family dwellings (SFD) with an unpermitted Accessory Dwelling Unit (ADU) and/or Junior Accessory Dwelling Unit (JADU) constructed or converted prior to January 1, 2020.

Disclaimer:

Issuance of a Housing Certificate of Compliance under the Amnesty Program for Unpermitted Dwelling Units does not imply an unpermitted accessory dwelling unit meets current Building Code standards or that Building Code violations do not exist, but rather allows for legal occupancy of the unit, so long as the unit remains free of fire and life safety violations and Housing Code Violations based on observations by licensed professionals and confirmed by the Building Official. As long as a Housing Certificate of Compliance remains in effect, no code enforcement proceedings will be initiated.

Building and Safety
1947 Center St. 3rd floor
Berkeley, CA 94704
510-981-7440 TTY 6903
buildingandsafety@berkeleyca.gov

Unpermitted Dwelling Unit Information

Main Unit Address:	<input type="text"/>	Zoning District:	<input type="text"/>
Assessor's Parcel Number:	<input type="text"/>	Unit Square Feet:	<input type="text"/>
Proposed Unit Address:	<input type="text"/>	Is the unit owner occupied?	<input type="checkbox"/> Y <input type="checkbox"/> N
Estimated Construction/Conversion Year:	<input type="text"/>	Is the unit vacant?	<input type="checkbox"/> Y <input type="checkbox"/> N

Type of Unpermitted Dwelling Unit

- Attached ADU:** An attached secondary unit with independent access, permanent spaces for living and sleeping, and a complete kitchen and bathroom. This includes converted ADUs from existing garages, basements, attics or other existing habitable or non-habitable spaces. Code compliant stairs are required for changes of floor elevations.
- Detached ADU:** A detached secondary unit with independent access, permanent spaces for living and sleeping, and a complete kitchen and bathroom.
- Converted JADU:** A JADU that is contained entirely within the floor area of a Single Family Dwelling with a separate exterior entrance. JADUs may be converted garage or attic spaces with separate sanitation facilities or may share sanitary facilities with the Single Family Dwelling. JADUs may also have efficiency kitchens as their permanent cooking facility.
- Other:**

Applicant Information

Role: Owner Owner's Agent*

*Agency form #112: AUTHORIZATION OF AGENT must be completed to act on property owner's behalf.

Name:	<input type="text"/>	Company:	<input type="text"/>
Phone:	<input type="text"/>	Email:	<input type="text"/>
Address:	<input type="text"/>	City, Zip:	<input type="text"/>

Owner Information

Name:	<input type="text"/>	Email:	<input type="text"/>
Phone:	<input type="text"/>	City, Zip:	<input type="text"/>
Address:	<input type="text"/>		

ACKNOWLEDGMENTS:

Read and *initial* each statement below to signify you understand or verify this information. Contact program staff with questions about these items.

I understand that upon inspection under the Amnesty Program for Unpermitted Dwelling Units, any observed fire and life safety violations must be corrected in a timely manner and that I cannot request a 5-year delay of code enforcement for fire and life safety violations.

I understand that issuance of a Housing Certificate of Compliance under the Amnesty Program for Unpermitted Dwelling Units does not indicate that the unpermitted dwelling unit meets current Building Code standards or that Building Code violations do not exist.

I understand that Amnesty Program for Unpermitted Dwelling Unit applicants are not eligible for owner-exemption status under the Rental Housing Safety Program (RHSP) and will be subject to future proactive housing inspections.

I acknowledge that any Housing Certificate of Compliance issued under the Amnesty Program for Unpermitted Dwelling Units will be recorded with the Alameda County Assessor’s Office.

I understand that any future life and safety violations and Housing Code violations must be addressed in a timely manner in order to retain a valid Housing Certificate of Compliance.

I understand that units legalized under the Amnesty Program for Unpermitted Dwelling Units are still subject to inspections initiated by a Request for Service or the Rental Housing Safety Program (RHSP) proactive selection process, and that construction permits may be required to bring the unit into compliance.

I acknowledge that if future violations or natural disasters necessitate alteration of the building in which the legalized/compliant unit exists, then future alterations will be properly permitted and constructed to current code requirements.

Note: Information submitted to the City in support of the Amnesty Program for Unpermitted Dwelling Units application will not be used as the basis for enforcement action *unless there is a clear and imminent danger to public and/or environmental health.*

CERTIFICATE OF INDEMNIFICATION

I hereby agree to defend, indemnify and hold harmless the City of Berkeley and its officers and employees from any and all claims arising from work connected with legalization under the Amnesty Program for Unpermitted Dwelling Units or issuance of a Housing Certificate of Compliance.

AUTHORIZATION OF ENTRY

I authorize a representative of the City of Berkeley Building and Safety Division to enter the property for which I have applied for legalization under the Amnesty Program for Unpermitted Dwelling Units for the purpose of making inspections.

By my signature below, I hereby affirm under penalty of perjury that each of the above declarations is true.

Check One: Owner Agent

Name

Signature

Date