

Options for Condo Conversion BMR Program Owners under Ordinance #320-08

Staff prepared this chart to clarify the main aspects of available options for BMR Program Owners under Ordinance #320-08. Please be aware that this chart is for informational purposes only and thus does not represent all program requirements nor modify the provisions of Ordinance #320-08. Owners should refer to Ordinance #320-08 directly and consult their own legal counsel as appropriate. Additional information about each option can be found in Ordinance #320-08, the corresponding procedures manuals, Implementation of Ordinance #320-08 Overview and on the Condo Conversion BMR Program page of MOH's website (www.sfgov.org/moh).

NOTE: This chart does not contain information related to Original Subdividers or Post-Legislation Owners.

	Option 1: Stay on the Current Program	Option 2: Opt Into the Updated Program	Option 3: Pay a Fee and be Released
Eligible Owners	Pre-Legislation Owners Pre-Affidavit Owners	Pre-Legislation Owners Pre-Affidavit Owners	Pre-Affidavit Owners ONLY
Action Required	No action. If you do not complete a transaction for an alternative option by 1/18/2011, these requirements will continue to apply to you.	You must make a request to MOH to sign into the updated Condo Conversion BMR Program. In order to ensure that your submission can be processed by 1/18/2011, MOH must receive your complete application by 12/1/2010.	You must make a request to MOH to enroll in the Fee and Release Option. In order to ensure that your submission can be processed by 1/18/2011, MOH must receive your complete application by 12/1/2010.
Capital Improvements (§ 1344(d))	Owners may recover 100% of their capital improvement expenditures, as defined in the 1993 Capital Improvements Policy. Owners may recover 100% of special assessments paid.	Owners may recover up to 10% of their resale price in approved capital improvements, as defined in the 2007 Inclusionary Procedures Manual. Owners may recover 100% of special assessments paid.	To be included in the fee calculation, capital improvements, as defined by the 1993 Capital Improvements Policy, must have been completed prior to January 18, 2009.
Base Price Calculation (§1344(c))	Goldmine Hill Complex: 2.5 times Area Median Income (AMI) All Others: Percentage change in the Consumer Price Index (CPI)	One time increase to the base price published in Ordinance #320-08 (pg. 19-20) Future prices based on the percentage change in the Area Median Income (AMI)	The unit's current base price calculation will be used to determine the fee amount (see Option 1 to left). Upon release, future sales are at fair market value.

	Option 1: Stay on the Current Program	Option 2: Opt Into the Updated Program	Option 3: Pay a Fee and be Released
Marketing Requirements (§ 1344(c), (e)(3), (4))	<p>Current tenant has the first right to purchase. The tenant must be a qualified household.</p> <p>If selling to current tenant, up to 2% realtor credit.</p> <p>List on the MLS with a realtor to receive up to a 5% credit.</p> <p>Must conduct a public lottery.</p>	<p>Current tenant has the first right to purchase. The tenant must be a qualified household.</p> <p>If selling to current tenant, up to 2% realtor credit.</p> <p>List on the MLS with a realtor to receive up to a 5% credit.</p> <p>Must conduct a public lottery.</p>	Not Applicable
Rental Policy (§ 1344(f))	<p>Current owners may rent at the affordable price to an Income-qualified household.</p> <p>MOH must be notified upon each re-rental.</p> <p>MOH will monitor each lease and rent levels on an annual basis.</p>	<p>All units must be owner-occupied.</p> <p>Owners may not rent their unit with certain exceptions, as defined in the 2007 Inclusionary Procedures Manual.</p> <p>MOH will monitor occupancy on an annual basis.</p>	Not Applicable
Inheritance Policy (§ 1344(e)(4))	<p>Any heir may inherit the property.</p> <p>The heir may choose to live in the unit or sell the unit. Heirs may not rent the property.</p>	<p>Any heir may sell the unit and retain the proceeds.</p> <p>Spouses and Domestic Partners may inherit the right to occupy the unit without regard to income.</p> <p>A child of the owner may inherit the right to occupy the unit if they are a qualified household.</p>	Not Applicable
Term of Restriction (§ 1344(e)(2))	Restrictions apply for the life of Unit.	Restrictions apply for life of Unit.	Once fee is paid or City Lien is recorded, Unit is released from the Program.
Additional Governing Documents	<p>Condo Conversion Program Resale Procedures</p> <p>1993 Capital Improvements Policy</p>	<p>2007 Inclusionary Procedures Manual</p> <p>2008 Condo Conversion BMR Addendum</p>	Not Applicable