

Mayor's Office of Housing and Community Development
City and County of San Francisco



London N. Breed
Mayor

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Director

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Title Change Policy

Transfer of title for properties subject to restrictions under San Francisco's Affordable Homeownership Programs and former San Francisco Redevelopment Agency (SFRA) Affordable Homeownership Programs

The Mayor's Office of Housing and Community Development ("MOHCD") of the City and County of San Francisco (the "City") administers a variety of affordable homeownership programs to provide housing options to low, moderate and middle-income homeowners, including, but not limited to, the purchase of a below market rate home, purchase of a market rate home with a downpayment assistance loan, a rehabilitation loan for the repair of a home, and home ownership programs of the former Redevelopment Agency of the City and County of San Francisco ("Affordable Homeownership Programs"). Homebuyers who purchased or rehabilitated a home under the Affordable Housing Programs ("Qualified Homebuyers") are required to appear on title of the property and execute documents that enforce restrictions of the applicable Affordable Housing Programs. Because Qualified Homebuyers have satisfied program requirements at purchase, and the Affordable Homeownership Programs are intended to serve Qualified Homebuyers, MOHCD does not allow changes to title to occur after purchase, except for limited circumstances. **Any changes to title must be approved by MOHCD prior to the recordation of the grant deed reflecting the title change.** MOHCD will allow changes to title if owner satisfies the following conditions:

1. Owners must obtain written approval from MOHCD before making any changes to title of the owners' home.
2. Owners must be in compliance with all requirements of the applicable Affordable Housing Program, including, but not limited to, submission of a current annual monitoring form to MOHCD.
3. The requested title change is due to:
 - a. Adding a titleholder
 - i. Marriage or domestic partnership – no sooner than 12 months after the original purchase
 - b. Removing a titleholder
 - i. Dissolution of marriage or domestic partnership; or
 - ii. Owner's death
 - c. Transferring title to a revocable living trust

Upon MOHCD's approval, MOHCD will prepare an "Assignment and Assumption Agreement," which will assign the rights and obligations of the City documents, such as the promissory note, deed of trust, and any other documents executed by the owner(s), from the original titleholder(s) (current owner(s)) to the new titleholder(s). The owner will record the Assignment and Assumption Agreement along with the MOHCD-approved grant deed with the Assessor-Recorder's Office at City Hall. See MOHCD's website: <https://sfmohcd.org/title-change> for instructions for submitting a title change request.

Please note that owners of any property that has had changed in ownership (except by death of an owner) must file a Preliminary Change in Ownership Report (PCOR) and Transfer Tax Affidavit when the transfer is recorded at the Assessor-Recorder's Office. For more information, visit <https://www.sfassessor.org> or contact your attorney for legal advice.