

Example Mello Act Compliance Review Determination Summaries

Present Use: Vacant Lot
Proposed Use: Fewer than 10 dwelling units.

Mello Determination

Replacement: Not required; no existing dwelling units.
Inclusionary: Proposed project is fewer than 10 new dwellings; no inclusionary units required.

Present Use: Owner-Occupied Single-Family Dwelling
Proposed Use: Owner-Occupied Single-Family Dwelling (same owner)

Mello Determination

Replacement: Not required; Owner-Occupied SFD exemption from replacement units requirement. Need to complete Owner-Occupied SFD Affidavit.
Inclusionary: Proposed project is fewer than 10 new dwellings; no inclusionary units required.

Present Use: Single-Family Dwelling (rental)
Proposed Use: Single-Family Dwelling (for sale; conversion or demolition and new construction)

Mello Determination

Replacement: May be required if affordable dwelling found by Housing Department. Does NOT qualify for Owner-Occupied SFD exemption from replacement requirements. Applicant has option to submit feasibility study.
Inclusionary: Conversion does not involve construction of a new unit, or proposed construction is fewer than 10 new dwellings; no inclusionary units required.

Present Use: Duplex
Proposed Use: Single-Family Dwelling (through conversion or demolition)

Mello Determination

Replacement: May be required if affordable dwelling found by Housing Department. Applicant has option to submit feasibility study.
Inclusionary: Proposed project may not involve construction of a new unit, or proposed project is fewer than 10 new dwellings; no inclusionary units required.

Present Use: Duplex; one unit owner-occupied, 2nd unit is rental or vacant
Proposed Use: Owner-Occupied Single-Family Dwelling (through conversion or demolition)

Mello Determination

Replacement: May be required if affordable dwelling found by Housing Department. Applicant has option to submit feasibility study. Does NOT qualify for Owner-Occupied SFD exemption from replacement requirement.
Inclusionary: Proposed project may not involve construction of a new unit, or proposed project is fewer than 10 new dwellings; no inclusionary units required.

Present Use: Duplex
Proposed Use: Duplex (through demolition and new construction)

Mello Determination

Replacement: May be required if affordable dwelling found by Housing Department. Applicant has option to submit feasibility study.

Inclusionary: Proposed project is fewer than 10 new dwellings; no inclusionary units required.

Present Use: Duplex
Proposed Use: Fewer than 10 dwelling units (through demolition and/or new construction)

Mello Determination

Replacement: May be required if demolition of any dwelling unit is involved and demolished unit found affordable by Housing Department. Applicant has option to submit feasibility study.

Inclusionary: Proposed project is fewer than 10 new dwellings; no inclusionary units required.

Present Use: Triplex or more dwelling units
Proposed Use: Duplex or Single-Family Dwelling (owner-occupied or otherwise)

Mello Determination

Replacement: Required if demolition of any dwelling unit is involved and demolished unit(s) found affordable by Housing Department. Applicant DOES NOT have option to submit feasibility study. Does NOT qualify for Owner-Occupied SFD exemption from replacement requirements.

Inclusionary: Proposed project is fewer than 10 new dwellings; no inclusionary units required.

Present Use: Triplex or more dwelling units
Proposed Use: 9 or fewer dwelling units (through demolition and/or new construction)

Mello Determination

Replacement: Required if demolition of any dwelling unit is involved and demolished unit(s) found affordable by Housing Department. Applicant DOES NOT have option to submit feasibility study.

Inclusionary: Proposed project is fewer than 10 new dwellings; no inclusionary units required.

Present Use: Triplex or more dwelling units
Proposed Use: 10 or more dwelling units (through demolition and/or new construction)

Mello Determination

Replacement: Required if demolition of any dwelling unit is involved and demolished unit(s) found affordable by Housing Department. Applicant DOES NOT have option to submit feasibility study.

Inclusionary: Required; applies only to newly constructed units. Does not apply to existing dwelling units not demolished; does not apply to required replacement dwelling units.