



# Request for Extension of Compliance Deadlines

## Oakland Municipal Code Section 15.27.070 or Section 15.27.075

This form is provided for owners of buildings subject to Oakland Municipal Code (OMC) Chapter 15.27: Mandatory Seismic Evaluation and Retrofit of Certain Multi-Unit Residential Buildings. The form is authorized by Section 15.27.080. In accordance with Sections 15.27.070 and 15.27.075, Building Department staff have been designated by the City Administrator to implement those sections. Building Department staff are authorized to require additional information as needed. **There is a non-refundable fee associated with this form (see instructions).**

### Instructions

1. **DO NOT** use this form:
  - 1.1. To request a deadline extension for submitting a Petition for Exemption form. If you believe your building is not subject to OMC Chapter 15.27, you may submit a Petition for Exemption form at any time. No extension is needed.
  - 1.2. To request a deadline extension for submitting a Petition for Change of Compliance Tier form. If you believe your building is eligible for a later Compliance Tier, you may submit a Petition for Change of Compliance Tier at any time. No extension is needed.
2. **If you have not yet applied for a building permit** for the required retrofit, we advise you to wait until this Request for Extension is resolved. Requesting an extension after receiving a building permit could incur additional costs for you.
3. **Submit this form:**
  - As a pdf attachment, by email to [MandatorySoftStoryRetrofit@oaklandca.gov](mailto:MandatorySoftStoryRetrofit@oaklandca.gov), with "Request for Soft Story Extension" in the subject line, or
  - As a hardcopy by U.S. mail or in person to:
 

Mandatory Soft Story Retrofit Program  
250 Frank H. Ogawa Plaza Suite 2340  
Oakland, CA 94612
4. **Pay the non-refundable fee (\$176.72):** When your form is received, Department staff will contact you with instructions for paying by phone or by check. Your form will not be processed until the fee is paid.

**PARCEL NUMBER** \_\_\_\_\_

**PROPERTY ADDRESS** \_\_\_\_\_

**OWNER(S)** \_\_\_\_\_

|   |                          |                          |
|---|--------------------------|--------------------------|
|   | <u>Yes</u>               | <u>No</u>                |
| Does this request replace or supplement a previously submitted request for the same building? | <input type="checkbox"/> | <input type="checkbox"/> |

### PART 1 – CONTACT INFORMATION

|                 |             |
|-----------------|-------------|
| Owner telephone | Owner email |
|-----------------|-------------|

Owner mailing address

|                             |                 |             |
|-----------------------------|-----------------|-------------|
| Authorized agent (optional) | Agent telephone | Agent email |
|-----------------------------|-----------------|-------------|

Agent mailing address

**CONDOMINIUM OWNERS:** Submit only one form with one set of contact information for each building. List all parcel numbers comprising the building here:

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**OMC Chapter 15-27: Request for Extension of Compliance Deadlines**

PARCEL NUMBER \_\_\_\_\_

**PART 2 – COMPLIANCE STATUS**

2.1. The following table shows the program’s current compliance deadlines without any extensions, which vary by Compliance Tier. **In the first column, indicate your assigned Compliance Tier.** (Your Compliance Tier is shown at the top of your “Notice of Mandatory Seismic Retrofit” letter. If you did not receive that letter or do not know your Compliance Tier, you may request it by sending an email to [MandatorySoftStoryRetrofit@oaklandca.gov](mailto:MandatorySoftStoryRetrofit@oaklandca.gov).) The Step numbers correspond to the program requirements as described at <https://www.oaklandca.gov/topics/ssretrofit>.

**Note:** Although the deadline for Step 1 and Step 2 has passed, you do not need to request a deadline extension if you only want to do Step 1 or Step 2. If you believe your building is not subject to OMC Chapter 15.27, you may submit a Petition for Exemption at any time. If you believe your building is eligible for a later Compliance Tier, you may submit a Petition for Change of Compliance Tier at any time.

| Assigned Compliance Tier   | Step 1 or Step 2. Document that building is not a subject building or is eligible for a later Compliance Tier | Step 3. Perform mandatory evaluation and submit initial affidavit of compliance | Step 4. Obtain retrofit permit or submit Target Story evaluation report | Step 5. Perform retrofit work and obtain approval on final inspection; submit final affidavit of compliance |
|--|---|---|---|---|
| Tier 1-LB <input type="checkbox"/><br>Tier 1-NR <input type="checkbox"/> | 2/21/2020   | 2/21/2021   | 2/21/2022   | 2/21/2023   |
| Tier 2 <input type="checkbox"/>  | 2/21/2020   | 2/21/2022   | 2/21/2023   | 2/21/2024   |
| Tier 3 <input type="checkbox"/>  | 2/21/2020   | 2/21/2023   | 2/21/2024   | 2/21/2025   |

2.2. If you have previously been granted any deadline extensions, show your extended deadlines in the cells here. If you do not know your current deadlines, leave this item blank. If you have not received any prior deadline extensions, leave the following cells blank; your current compliance deadlines are as shown in item 2.1.

|   | Step 1 or Step 2. | Step 3. | Step 4. | Step 5. |
|---|-------------------|---------|---------|---------|
| Current compliance deadlines based on prior extensions: | Not applicable    |         |         |         |

2.3. Considering the current deadlines for your Compliance Tier and any prior deadline extensions for your building, indicate your project status with respect to Steps 3, 4, and 5. If you do not know your current deadlines, you may leave this item blank and Building Department staff will contact you, but your extension request cannot be considered until this item is completed.

Be sure to complete the final row, which is where you request the extension, but **check only one box in each column.**

| Owner’s Compliance Status                                 | Step 1 or Step 2. | Step 3.                  | Step 4.                  | Step 5.                  |
|---|-------------------|--------------------------|--------------------------|--------------------------|
| Already complied  | Not applicable    | <input type="checkbox"/> | <input type="checkbox"/> | Not applicable           |
| Expect to comply with current compliance deadline         | Not applicable    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Request one-year extension of current compliance deadline | Not applicable    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**OMC Chapter 15-27: Request for Extension of Compliance Deadlines**  
**Page 3 of 4**

PARCEL NUMBER \_\_\_\_\_

**PART 3 – BASIS FOR REQUEST**

3.1. In the first column, indicate the basic reason for the extension request(s) shown in Part 2. The basic reasons relate to allowances in OMC Sections 15.27.070.D and 15.27.075, provided below for reference. In the second column, indicate which items, if any, you are submitting in support of your request. In the second column, indicate only the documents you are currently submitting. Building Department staff are authorized to require additional information as needed.

| I am requesting an extension of compliance deadlines, as indicated in Part 2 of this form, due to:           | To support my request, I am submitting the following information to support my request:   |
|--|---|
| <input type="checkbox"/> Unusual delays related to circumstances beyond the reasonable control of the owner. | <input type="checkbox"/> Documentation of delay due to appeals, litigation, or permitting<br><input type="checkbox"/> In addition to the description provided below, documentation of the circumstances causing delay   |
| <input type="checkbox"/> Financial hardship related to the cost of the required work.                        | <input type="checkbox"/> Estimated cost of complying with specific deadlines shown in Part 2<br><input type="checkbox"/> Documentation of attempts to secure financing or inability to secure financing due to owner indebtedness<br><input type="checkbox"/> Documentation of the building's annual budget, cash reserves, or financial return over the most recent several years<br><input type="checkbox"/> Deed (or other legal) restrictions on ability to charge market rent or to increase rent<br><input type="checkbox"/> In addition to the description provided below, documentation of the financial hardship |

3.2. Provide a brief description of the specific reason(s) for this extension request.

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**Reference text from OMC Chapter 15.27**

**15.27.070 – Schedule.** ... D. The City Administrator or designee is authorized to extend for up to one (1) year any of the compliance deadlines in Table 15.27.070 based on a demonstration of hardship due to unusual delays related to circumstances beyond the reasonable control of the owner, including, but not limited to, appeals, litigation, permit processing and/or other similar circumstances.

**15.27.075 – Extension for financial hardship.** The City Administrator or designee is authorized to extend any of the compliance deadlines in Table 15.27.070 by up to one (1) year based on a demonstration of financial hardship related to the cost of the required work.

- A. To request such an extension, the owner shall submit a request to the Bureau of Building, together with such documentation as the City Administrator might require regarding the required work, owner records, and owner resources.
- B. As a condition of the extension for financial hardship, the owner may be required to confer with City staff and to demonstrate a good faith effort to secure funding or financing.
- C. Any extension for financial hardship shall apply only to work required by this Chapter.
- D. In the event of a transfer of title, any extension for financial hardship shall not transfer automatically to the new owner.
- E. In determining if an extension due to financial hardship is granted, criteria to be considered by the City Administrator or designee shall include, but not be limited to, the owner's ability to obtain a loan or alternative financing, size of annual budget (if any), cash reserves, owner indebtedness, proof of financial return below treasury bonds for several years, as well as any deed restrictions on the owner's ability to charge market rate rent for a significant portion of the subject building.

**OMC Chapter 15-27: Request for Extension of Compliance Deadlines**  
**Page 4 of 4**

PARCEL NUMBER \_\_\_\_\_

**PART 4 – OWNER AFFIDAVIT**

**OWNER / AGENT**

Under penalty of perjury, I certify that the information provided in this request is correct to the best of my knowledge.

- Owner
- Agent

\_\_\_\_\_  
 Signature Date

Notes for building owners:

- A building may receive at most one extension for each of the two possible reasons, or a total of two extensions, one year each. Each reason must be separately documented. The two basic reasons are given in OMC Sections 15.27.070.D and 15.27.075, provided in Part 3 of this form for reference.
- Requests for each of the two reasons may be made at the same time or may be made separately at different times.
- The Department, at its discretion and based on the documentation submitted, may extend the deadline for one or two Steps without extending the deadline for earlier Steps.
- Whether or not an extension request is granted, if your retrofit permit will expire before the retrofit is complete, you will need to complete a separate permit extension request and pay a separate fee. Forms and related information are available at <https://www.oaklandca.gov/services/apply-for-a-permit-extension-or-reinstatement>
- Approval of a permit extension request, if needed, is separate from this request for extension of compliance deadlines. Approval of this request does not guarantee approval of a permit extension request.
- Even if this request for extension of compliance deadlines is granted, all conditions associated with the permit extension process, including its fee, still apply.

**FOR BUILDING DEPARTMENT USE ONLY**

Form appears incomplete, or more information is needed regarding:

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>Building Identification <input type="checkbox"/></li> <li>PART 1 – Contact Information <input type="checkbox"/></li> <li>PART 2 – Compliance Status                             <ul style="list-style-type: none"> <li>2.1. Compliance Tier <input type="checkbox"/></li> <li>2.2. Previously extended deadlines <input type="checkbox"/></li> <li>2.3. Compliance status of Steps 3, 4, and 5 <input type="checkbox"/></li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>PART 3 – Basis for Request                             <ul style="list-style-type: none"> <li>3.1. Basic reason <input type="checkbox"/></li> <li>3.1. Submitted documentation <input type="checkbox"/></li> <li>3.2. Description of specific reason <input type="checkbox"/></li> </ul> </li> <li>PART 4 – Owner Affidavit <input type="checkbox"/></li> </ul> |
|---|--|

Form appears complete and information is assumed correct based on Owner Affidavit.

- Request is granted, with extended compliance deadlines shown below.
- Request is denied.

Building Department reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

|  | Step 3.<br>Perform mandatory evaluation and submit initial affidavit of compliance | Step 4.<br>Obtain retrofit permit or submit Target Story evaluation report | Step 5.<br>Perform retrofit work and obtain approval on final inspection; submit final affidavit of compliance |
|--|--|--|--|
| Extended compliance deadlines for this building: |  |  |  |