SCHEDULE OF FEES AND CHARGES

PART 12 -- HOUSING DEPARTMENT

12.010 Rent Stabilization Program
(formerly Rental Rights and Referrals Program;
formerly Rental Dispute Mediation)

Apartment (SJMC §17.23.400)	$76.00 per unit annually
Mobile Homes (SJMC §17.22.910)	$30.00 per unit annually
Non-Rent Controlled Units	$28.00 per unit annually
Ellis Act Filing Fees	
a. Per unit up to 10 units	$2,833.00 per unit
b. Additional per unit over 10 units	$951.00 per unit
Apartment Late Fee	
30 days past due	10% of the amount of the fee
60 days past due	50% of the amount of the fee
Mobile Home Late Fee	
30 days past due	10% of the amount of the fee

12.020 Inclusionary Policy Fees

Fees effective July 1, 2007 for all projects:

1. Rental Units	$17.00 per net square foot of market-rate housing; maximum $85,500
2. For-sale Low-Rise Condominium/Stacked Flat Projects	$17.00 per net square foot of market-rate housing; maximum $90,000
3. For-sale Townhouse/Row-house projects	$17.00 per net square foot of market-rate housing; maximum $120,000
4. For Sale Single-family detached units	$17.00 per net square foot of market-rate housing; maximum $200,000
5. For Sale High-rise units not located in the Downtown Core	$17.00 per net square foot of market-rate housing; maximum $200,200

	6. For Sale High-rise units located in a Downtown High-Rise Incentive Area	$8.50 per net square foot of market-rate high-rise units; maximum $65,000

12.025 For Sale Inclusionary In-Lieu Fees under Municipal Code Section 5.08.520

Prior to May 1, 2021: Pursuant to San José Municipal Code Section 5.08.520, the inclusionary housing requirement may be satisfied by the payment of a fee in lieu of constructing affordable housing units provided that such fee is paid for 20% of total Market Rate Units and received after issuance of a development permit for the project, but prior to the issuance of any certificate of occupancy for a building in the Residential Development.	$184,135.00 per unit
On or after May 1, 2021: Pursuant to San José Municipal Code Section 5.08.520, the inclusionary housing requirement may be satisfied by the payment of a fee in lieu of constructing affordable housing units provided that such fee is paid and received after issuance of a development permit for the project, but prior to the issuance of any certificate of occupancy for a building in the Residential Development, as follows:	Listed Below

In-Lieu Fee for For-Sale Residential Developments
Per Net New Square Foot of Residential Floor Area (1)

Residential Developments Adding 20 or More Units or Adding 10 to 19 Units at less than 90% of maximum density allowed by the General Plan ("Allowable Density")	$29.07
Residential Developments Adding 10 to 19 Units at 90% or More of Allowable Density	$14.54

(1) As determined pursuant to the Inclusionary Housing Ordinance Guidelines.

The in-lieu fee shall be increased on July 1 of each year by the Engineering News Record ("ENR") Construction Cost Index for the San Francisco Urban area as determined for the preceding twelve (12) months – until the fee is recalculated pursuant to the Inclusionary Housing Ordinance.

The in-lieu fee for qualifying For-Sale High Rise Residential Developments located in the Downtown Planned Growth Area, pursuant to Resolution No. 80766, the Inclusionary Housing Guidelines, and San José Municipal Code Section 5.08.520, that obtain a building permit by June 30, 2025 and all Certificates of Occupancy before June 30, 2029 shall be $0 per square foot.

12.026	Rental Inclusionary In-Lieu Fees under Municipal Code Section 5.08.520	
	Prior to May 1, 2021: Pursuant to San José Municipal Code Section 5.08.520, the inclusionary housing requirement for rental developments may be satisfied by the payment of a fee in lieu of constructing affordable rental residential units provided that such fee is paid for 20% of all units in the rental development and received after issuance of a development permit for the project, but prior to the issuance of any certificate of occupancy for a building in the rental development.	$145,807.00 per unit
	On or after May 1, 2021: Pursuant to San José Municipal Code Section 5.08.520 the inclusionary housing requirement may be satisfied by the payment of a fee in lieu of constructing affordable housing units provided that such fee is paid and received after issuance of a development permit for the project, but prior to the issuance of any certificate of occupancy for a building in the Residential Development, as follows:	Listed Below

In-Lieu Fee for Rental Residential Developments

Per Net New Square Foot of Residential Floor Area [(1)]

	Strong Market Area	Moderate Market Area
Rental Residential Developments Adding 20 or More Units or Adding 10 to 19 Units at Less Than 90% of Allowable Density	$49.99	$21.74
Rental Residential Developments Adding 10 to 19 Units at 90% or More of Allowable Density	$25.00	$10.87

[(1)] As determined pursuant to the Inclusionary Housing Ordinance Guidelines.

The in-lieu fee shall be increased on July 1 of each year by the Engineering News Record ("ENR") Construction Cost Index for the San Francisco Urban area as determined for the preceding twelve (12) months – until the fee is recalculated pursuant to the Inclusionary Housing Ordinance.

For Fiscal Year 2024-2025, the in-lieu fee shall not be increased by ENR.

Fee for qualifying Downtown High Rise Rental Developments, pursuant to Resolution No. 80766, the Inclusionary Housing Guidelines, and San José Municipal Code Section 5.08.520.D., that obtain all Certificates of Occupancy before June 30, 2029 shall be as follows:	FY24-25
Building permit by June 30,2025 and Certificates of Occupancy before June 30, 2029	$0

12.027 Rental Inclusionary Adjusted In-Lieu Fees under Municipal Code Section 5.08.525

On or after May 1, 2021: Listed Below

Pursuant to San José Municipal Code Section 5.08.525 the inclusionary housing requirement may be satisfied by the payment of a fee in lieu of constructing affordable housing units provided that such fee is paid and received after issuance of a development permit for the project, but prior to the issuance of any certificate of occupancy for a building in the Residential Development, as follows:

In-Lieu Fee for Rental Residential Developments Providing a Minimum of 5% Inclusionary Units On-Site
Per Net New Square Foot of Residential Floor Area (1)

		Rental Residential Developments Adding 20 or More Units or Adding 10 to 19 Units at Less Than 90% of Allowable Density		**Rental Residential Developments Adding 10 to 19 Units at 90% or More of Allowable Density**	
	Inclusionary Units On-Site	Strong Market Areas	Moderate Market Areas	Strong Market Areas	Moderate Market Areas
With 5% Inclusionary Units On-Site	5% at 100% AMI rents	$21.74	$13.80	$10.87	$6.90
	5% at 60% AMI rents	$14.50	$9.21	$7.26	$4.61
	5% at 50% AMI rents	$11.71	$7.43	$5.87	$3.72
[redacted]					
With 10% Inclusionary Units On-Site	5% at 100% AMI and 5% at 60% AMI rents	$12.27	$7.79	$6.14	$3.90
	5% at 100% AMI and 5% at 50% AMI rents	$9.48	$6.01	$5.43	$3.02

5% at 60% AMI and 5% at 50% AMI rents	$2.23	$1.41	$1.12	$0.71
10% at 30% AMI rents	$0.00	$0.00	$0.00	$0.00

AMI = Area Median Income

(1) As determined pursuant to the Inclusionary Housing Ordinance Guidelines.

The in-lieu fee shall be increased on July 1 of each year by the Engineering News Record ("ENR") Construction Cost Index for the San Francisco Urban area as determined for the preceding twelve (12) months – until the fee is recalculated pursuant to the Inclusionary Housing Ordinance.

12.028 Inclusionary Housing Application Fee

Standard Application	$4.524.00 per application
Abbreviated Application	$986.00 per application
City Attorney Staff Time	$195.00 per hour in excess of seven (7) hours
City Housing Staff Time	$131.00 per hour in excess of twenty (20) hours

12.030 Homebuyer Subordination Fee — $407.00 per transaction

12.040 Multi-Family Project Owner Transfer Fee – New Parties

Standard Application	$19,541.00 per transaction
City Attorney Staff Time	$195.00 per hour in excess of twenty-nine (29) hours

	Housing Staff Time	$131.00 per hour in excess of one hundred six (106) hours
12.045	Multi-Family Project Owner Transfer Fee – Related Parties	
	Standard Application	$15,032.00 per transaction
	City Attorney Staff Time	$195.00 per hour in excess of twenty-two (22) hours
	City Housing Staff Time	$131.00 per hour in excess of eighty-two (82) hours
12.047	Multi-Family Loan Refinance Fee	
	Standard Application	$19,541.00 per transaction
	City Attorney Staff Time	$195.00 per hour in excess of twenty-nine (29) hours
	City Housing Staff Time	$131.00 per hour in excess of one hundred six (106) hours
12.050	Single-Family Loan Payoff Fee	
	Short Sale Loan Payoff Fee	$393.00 per transaction

	Single-Family Loan Payoff Fee	$262.00 per transaction
12.060	Multi-Family Project Restructuring Fee	
	Standard Application	$6,651.00 per transaction
	City Attorney Staff Time	$195.00 per hour in excess of twenty (20) hours
	City Housing Staff Time	$131.00 per hour in excess of twenty-one (21) hours
12.070	Multi-Family Loan Recapitalization Fee	
	Standard Application	$41,328.00 per transaction
	City Attorney Staff Time	$195.00 per hour in excess of eighty-nine (89) hours
	City Housing Staff Time	$131.00 per hour in excess of one hundred eighty-three (183) hours
12.080	Multi-Family Loan Servicing Fee	
	Multi-Family Loan Servicing Fee	$104.36 per unit per year
12.090	Multi-Family Affordability Restriction Monitoring Fee	
	Multi-Family Affordability Restriction Monitoring Fee	$104.36 per unit per year

12.100 Multi-Family Loan Origination Fee

Standard Application	$44,079.00 per transaction
City Attorney Staff Time	$195.00 per hour in excess of eighty-nine (89) hours
City Housing Staff Time	$131.00 per hour in excess of two hundred four (204) hours

12.110 Multi-Family Loan Conversion Fee

Standard Application	$41,328.00 per transaction
City Attorney Staff Time	$195.00 per hour in excess of eighty-nine (89) hours
City Housing Staff Time	$131.00 per hour in excess of one hundred eighty-three (183) hours

12.120 Supplemental Document Processing Fee

City Attorney Staff Time	$195.00 per hour
City Housing Staff Time	$131.00 per hour
Santa Clara County Clerk-Recorder Office Fees	Actual Costs Charged by the Santa Clara County Clerk-Recorder to the City

12.130	Multi-Family Loan Payoff Fee	
	Standard Application	$3,729.00 per transaction
	City Attorney Staff Time	$195.00 per hour in excess of three (3) hours
	City Housing Staff Time	$131.00 per hour in excess of twenty-four (24) hours
12.155	Multi-Family Application Review Fee	$1,053.00 per application