



ADU LEGALIZATION PROGRAM GUIDE

On September 28, 2024, Governor Newsom signed Assembly Bill 2533 (AB 2533) into law to amend Government Code Section 66332. The primary goal of AB 2533 is to allow for the legalization of existing ADUs and JADUs, waiving certain zoning requirements, and focusing on imminent health and safety issues, rather than full compliance with the building codes in effect at the time of original construction. These changes to the ADU laws may help facilitate the legalization of your unpermitted ADU.

Under this bill, a local agency cannot deny a permit for unpermitted ADUs or JADUs that were constructed before January 1, 2020, unless the local agency makes a finding that correcting the violation is necessary to protect the public's health and safety. It requires jurisdictions to delay certain enforcement actions. AB 2533 text can be found here: [Assembly Bill No. 2533](#).

This guide and the following supplemental handouts are designed to assist applicants through the necessary submittal documents.

[ADU Legalization Plan Submittal Guide](#)

[ADU Legalization - Owner Affidavit](#)

[ADU Substandard Housing Checklist \(HSC 17920.3\)](#)

Why you should legalize or seek a delay in enforcement of unpermitted ADU/JADU:

1. Ensures the health and safety of occupants by reducing risks of the unpermitted ADU/JADU or the primary dwelling
2. Reduces liability to property owners and allows for proper insurance coverage for damages and injuries.
3. Increases property value
4. Reduces risk of penalties and code enforcement against the unpermitted ADU while owners work through the legalization process.
5. Gives owners additional time to complete building code corrections if there are no immediate health and safety risks.

Eligibility Requirements:

1. Owners must provide proof ADU/JADU was built and occupied before January 1, 2020.
2. No modifications were made to the ADU/JADU after January 1, 2020 except for modifications made to satisfy West Hollywood Building Code requirements.
3. The number of ADUs on the lot does not exceed the legal maximum.
4. The city receives an application to legalize the ADU prior to January 1, 2030.



Required Applications and Forms:

Application Submittal:

All projects will be required to submit a building permit application. Projects will be reviewed concurrently by the Planning and the Building and Safety Division under the building permit application.

Building and Safety is only accepting electronic submittals through the city's [Permit and License Portal](#). Please complete the [Residential ADU or ADU Conversion](#) application. The application shall be accompanied by documents listed in the [ADU Substandard Housing Checklist \(HSC 17920.3\)](#). Planning and Building and Safety will conduct a concurrent review of the documents. The ADU/JADU will be issued a permit from both Planning and the Building and Safety Divisions.

Inspections:

Upon application, AB 2533 requires that an unpermitted ADU/JADU be inspected to identify existing conditions that would deem the space or structure substandard. A Planning ADU permit will be issued if no conditions exist and applicants will continue with the building permit issuance process. Substandard conditions are listed in the [Health and Safety Code, Section 17920.3](#). The bill allows for two inspection options:

1. Property owners can submit a third-party inspection from a licensed contractor verifying that no substandard conditions exist. Applicants can submit a completed ADU [Substandard Housing Checklist \(HSC 17920.3\)](#). This form must be completed by a CA licensed contractor.
2. Upon submittal of an application, the property owner must contact Building and Safety to schedule an inspection by a building inspector at Building@weho.org. In your request, please clearly specify it is for an ADU legalization inspection and provide the Building and Safety plan check number assigned when completing your application. The property owner **MUST** have a copy of the ADU Substandard [Housing Checklist \(HSC 17920.3\)](#) form on-site on the day of the inspection. **PLEASE NOTE: A minimum 3-hour inspection fee will be assessed for inspections by a city building inspector.**

If there are any substandard conditions identified, the unit will need to be vacated until the conditions are corrected. If building code violations are identified during the inspection, a list of corrections will be provided by the building inspector. Owners will have five (5) years to correct the violations.

Approval and permits from the Planning and Building and Safety Divisions will be required. AB 2533 prohibits a jurisdiction from denying a permit when all criteria in the statute have been satisfied. Applications and permits will be issued once ALL applicable fees are paid. **The owner shall be responsible for paying fees in a timely manner to maintain the AB 2533 timelines.**



Building Permit

If no substandard conditions are identified, a building permit will be issued. Projects that require alterations due to building code violations will have up to five (5) years or until January 1, 2035, whichever date is sooner, to complete all required improvements. However, this delay does not apply to dangerous public health and safety violations.

Please Note: Permit applications are valid for 12 months and will automatically expire if no action is taken. A new permit application will be required to be submitted to continue the compliance process.

All new ADUs/JADUs will require a new address. Applicants will be required to complete an Address Verification form online, once their building permit application has been processed.

Planning Review

Projects that will be approved within the parameters of AB 2533, with no substandard conditions identified after inspection, will be issued an ADU permit by the Planning Division.

Certificate of Occupancy

Once the ADU/JADU has been inspected and satisfies all city requirements, the building permit status will be updated to a "FINAL" status, and a certificate of occupancy will be issued by Building and Safety.

Questions:

If you have any questions regarding the ADU Legalization Program, please contact our teams:

Planning Division at Planning@weho.org

Building and Safety at Building@weho.org Building and Safety at Building@weho.org



ADU LEGALIZATION PLAN SUBMITTAL GUIDE

Please ensure you have read West Hollywood's ADU Legalization Program Guide prior to submitting your application.

Application Submittal:

Building and Safety is only accepting electronic submittals through the city's [Permit and License Portal](#). Please complete the [Residential ADU or ADU Conversion](#) application. All communications, reviews, inspections and application status updates will be provided through applicants' online dashboard. It is important that all contact information is provided correctly.

In the "Description" section, clearly indicate "Legalization of ADU under AB 2533" in the project description.

Required Documents and Forms:

Proof of Eligibility

Property owners applying for a permit for a previously unpermitted ADU or JADU constructed before January 1, 2020, must provide supporting evidence with their application. This may include but not limited to the following:

- Construction receipts
- Contractor agreements
- Proof of registration with West Hollywood's Rent Stabilization Division
- Utility bills to the unpermitted ADU/JADU
- Code Enforcement documents
- Rental agreements
- Proof of rental payments in the form of cashed checks or receipts
- Real estate sale documents
- A site plan to confirm the number of ADUs on the lot does not exceed legal maximum allowance.

Substandard Housing Checklist for ADU/JADU

All legalizations will be required to complete ADU Substandard Housing Checklist (HSC 17920.3) to document the property's compliance with [Health and Safety Code 17920.3](#). Upon submittal of an application, the property owner will be required to schedule an inspection and have plans and a blank checklist available for the building inspector. Property owners submitting a third-party inspection must have the form completed by a "Class B/B-2" contractor in good standing with the California State License Board and submitted with their building permit application.



Plans

Building Requirements:

The following items shall appear on the first sheet of the drawings:

A. Applicable Codes:

2025 California Residential, Mechanical, Electrical, Plumbing, with 2026 Los Angeles County Amendments.

B. Building Code Data:

Occupancy Group: R-3 – Single Family Residences or R-2 – Multifamily Residential Building

Type of Construction: V-B or V-A.

New & existing floor area per occupancy and per story.

Number of stories.

C. Scope of Work:

Provide a detailed written description on project scope on the first page of plans.

Plans shall consist of:

D. Plot Plan:

1) Legal description, site address, and North Arrow.

2) Plan to scale and fully dimensioned.

3) An existing site plan to indicate which existing structure (or portions thereof) are to be demolished (if applicable), and which are to remain; indicate total number of residential units on the site include all ADUs.

4) Existing building footprint(s), with indication of square footage(s), number of stories, and land use

5) Dimensions from all structures to front, side and rear property lines.

6) Streets and alleys (labeled with names), curbs, parkways and sidewalks adjacent to the property.

E. Foundation Plan and Details:

1) Footing sizes and reinforcing.

2) Slabs thickness, reinforcing and moisture barrier, if required.

F. Floor Plan:

1) Provide plans showing layout of all walls, windows, doors, etc.

2) The uses of all areas in the space or structure.

3) Size, type, and location of doors and windows.

4) Framing information (size, spacing, and directions of joists and rafters, headers, beams and columns, shear walls, floor diaphragms) may be shown here or on a separate framing plan.

5) Plumbing, mechanical and electrical fixtures and equipment.



G. Roof Plan (may be combined with plot plan, if simple):

- 1) Roof material, slope, ridges, valleys, overhangs, and roof framing members.

H. Exterior Elevations:

- 1) Show ceiling height, finishes, doors/windows.
- 2) Overall building height.

I. Framing Sections:

- 1) Show roof, floor and wall construction, and the foundation.
- 2) Interior finishes and insulation.

J. Los Angeles County Fire Department Approval:

- 1) Projects located in a High Fire Severity Zone require review and approval from Los Angeles County Fire Prevention. For ADU's outside of the zone, LA County Form 195 must be completed to waive a project review by Fire Prevention. The form can be found here: [FORM 195](#)

Questions:

If you have any questions regarding the ADU Legalization Program, please contact our teams:

Planning Division at Planning@weho.org

Building and Safety at Building@weho.org



ADU LEGALIZATION – OWNER AFFIDAVIT

I, _____ am duly authorized to make these below certifications and affirm under penalty of perjury that they are true and correct.

A. Project Information	
Property Address:	
APN:	
Owner:	Email:
Owner Address	Phone No:

B. ADU Description	
The Accessory Dwelling Unit (ADU) in question is located at the property address and Assessor Parcel Number (APN) above. The ADU has the following general characteristics:	
Size (sq.ftg):	Attached/Detached:
JADU/ADU:	Rental/Owner Occupied:

C. Construction Information	
Construction Date:	
Constructed By:	
Contractor Name:	Phone No.:

D. Compliance with Permit Requirements	
<p>I acknowledge that the ADU/JADU was constructed without obtaining the necessary permits from the City of West Hollywood. I am now seeking to legalize the ADU/JADU under the provisions of AB 2533, which allows for the legalization of unpermitted ADUs/JADUs built prior to January 1, 2020, as long as the ADU meets specific health and safety requirements. I understand that AB 2533 waives most of the standard compliance regulations, and I am working with the City to ensure the ADU/JADU is brought into compliance with the applicable regulations under this law.</p>	
Owner:	
Signature:	Date:



E. Supporting Evidence of Construction/Occupancy	
<p>AB 2533 allows for the legalization of unpermitted ADUs/JADUs built prior to January 1, 2020. The following documents will be provided with this form as proof of eligibility (check all that apply):</p>	
Construction receipts	Contractor Agreements
Utility Bills to ADU	Code Enforcement Documents
Rental Agreements	Real Estate Transactions
Proof of rental payments in the form of cashed checks or receipts	
Proof of registration with WeHo's Rent Stabilization Division	

F. Affirmation of Health and Safety Compliance	
<p>I affirm that the ADU/JADU has been maintained in a safe condition and is not substandard under California Health and Safety Code, Section 17920.3 (HSC 17920.3). I understand that the ADU/JADU must meet basic health and safety standards under AB 2533 in order to be legalized. I shall be my responsibly to either hire a California licensed contractor to complete the ADU Substandard Housing Checklist (HSC 17920.3) or pay additional inspections fees for a building inspector to assess any substandard conditions.</p>	
Owner:	
Signature:	Date:

G. Sworn Statement	
<p>I understand that submitting false information in this affidavit is a violation of California law and may result in legal penalties. I further acknowledge that this affidavit is submitted in support of the process to legalize the ADU/JADU under applicable California laws, including but not limited to California Government Code Section 65852.2, AB 2533 (codified at Government Code section 66332), and any other related local ordinances in the City of West Hollywood.</p> <p>I also declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>	
Owner:	
Signature:	Date:



ADU SUBSTANDARD HOUSING CHECKLIST (HSC 17920.3)

A. Project Information	
Property Address:	
APN:	Date:
Owner:	Email:
Owner Address	Phone No:

The West Hollywood Building and Safety Division must ensure that all inspections comply with California State Housing Law and HSC Section 17920.3 which identifies and defines substandard housing conditions. Below is the basic checklist of conditions to be inspected; however, additional safety items may be included when identified in the field by a chosen third-party contractor.

Before submitting a permit application and plan, a homeowner may obtain a confidential third-party code inspection from a licensed contractor. Additional inspection fees will be assessed for inspections performed by a City Building Inspector.

For conditions that are unable to be verified because they are concealed behind finish materials, further exploration may be required, including, but not limited to removal of finish materials.

C. Smoke Alarms			
	<i>Compliant</i>	<i>Violation</i>	<i>Description</i>
1.	<input type="checkbox"/>	<input type="checkbox"/>	Operational and installed in every sleeping room.
2.	<input type="checkbox"/>	<input type="checkbox"/>	Installed outside each separate sleeping area in the immediate vicinity (hallways).
3.	<input type="checkbox"/>	<input type="checkbox"/>	Installed on every level of the dwelling unit, including basements.
4.	<input type="checkbox"/>	<input type="checkbox"/>	Installed not less than 3 feet horizontally from the door or opening of a bathroom that contains a bathtub or shower.
5.	<input type="checkbox"/>	<input type="checkbox"/>	Installed in the hallway and in the room open to the hallway in dwelling units where the ceiling height of a room open to a hallway serving bedrooms exceeds that of the hallway by 24 inches or more.

D. Carbon Monoxide Alarms			
	<i>Compliant</i>	<i>Violation</i>	<i>Description</i>
6.	<input type="checkbox"/>	<input type="checkbox"/>	Operational and installed outside each separate sleeping area in the immediate vicinity of bedrooms (hallways), on every occupiable level including basements, and in bedrooms with fireplaces.
7.	<input type="checkbox"/>	<input type="checkbox"/>	If there is an attached garage with an opening into the dwelling unit, or a fuel-fired appliance or fireplace in the home, alarms should be installed at each level of the dwelling.



E. Emergency Escape and Rescue Openings – For Sleeping Rooms

	<i>Compliant</i>	<i>Violation</i>	<i>Description</i>
8.	<input type="checkbox"/>	<input type="checkbox"/>	Emergency escape / rescue openings are provided in every sleeping room.
9.	<input type="checkbox"/>	<input type="checkbox"/>	The window must have a minimum clear opening width of 20 inches and a clear opening height of 24 inches.

F. Sanitation

	<i>Compliant</i>	<i>Violation</i>	<i>Unconfirmed</i>	<i>Description</i>
10.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper water closet, lavatory, and bathtub or shower in a dwelling unit.
11.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper kitchen sink.
12.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hot and cold running water to plumbing fixtures.
13.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequate heating.
14.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper operation of required ventilating equipment.
15.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A minimum of 8% of natural light and 4% of ventilation is provided based on existing floor area of habitable room(s).
16.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Habitable room floor areas are not less than 70 square feet, and not less than 7 feet in any horizontal dimension, except kitchens.
17.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required electrical lighting is provided.
18.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Habitable rooms have no signs of dampness.
19.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Infestation of insects, vermin, or rodents is not present.
20.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Visible mold growth is not present, excluding the presence of mold that is minor and found on surfaces that can accumulate moisture as part of their properly functioning and intended use.
21.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General dilapidation or improper maintenance of the unit is not present.
22.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Connection to required sewage disposal system is present.
23.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper garbage and rubbish storage and removal facilities are present.



G. Structural Hazards – Include, but are not limited to, the following items

	<i>Compliant</i>	<i>Violation</i>	<i>Unconfirmed</i>	<i>Description</i>
24.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequate foundations are provided. May require exposing an area of foundation to verify.
25.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequate flooring or floor supports are provided.
26.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Flooring or floor supports are of sufficient size to carry imposed loads with safety.
27.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no present members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration.
28.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no apparent members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety.
29.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are present members of ceilings, roofs, ceiling and roof supports, or other horizontal members which sag, split, or buckle due to defective material or deterioration.
30.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no apparent members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
31.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no present fireplaces or chimneys which list, bulge, or settle due to defective material or deterioration.
32.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no apparent fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.

H. Any Nuisance and the Following

	<i>Compliant</i>	<i>Violation</i>	<i>Unconfirmed</i>	<i>Description</i>
33.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All wiring, except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly.



H. Any Nuisance and the Following - Continued

	<i>Compliant</i>	<i>Violation</i>	<i>Unconfirmed</i>	<i>Description</i>
34.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All plumbing, except plumbing that conformed with all applicable laws in effect at the time of installation and has been maintained in good condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly, and that is free of cross connections and siphonage between fixtures.
35.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All mechanical equipment, including vents, except equipment that conformed with all applicable laws in effect at the time of installation and that has been maintained in good and safe condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly.
36.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no faulty weather protection present which may include: (1) deteriorated, crumbling or loose plaster (2) deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken windows or doors (3) defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering (4) broken, rotted, split, or buckled exterior wall coverings or roof coverings.
37.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the city building inspector or third-party inspector, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.
38.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All materials of construction, except those that are specifically allowed or approved by this code, and that have been adequately maintained in good and safe condition.



H. Any Nuisance and the Following - *Continued*

	<i>Compliant</i>	<i>Violation</i>	<i>Unconfirmed</i>	<i>Description</i>
39.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborage, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards.
40.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any building or portion thereof that is determined to be an unsafe building due to inadequate maintenance, in accordance with the latest edition of the California Building Code.
41.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All buildings or portions thereof not provided with adequate exit facilities as required by this code, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and that have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy. <i>When an unsafe condition exists through lack of, or improper location of, exits, additional exits may be required to be installed.</i>
42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All buildings or portions thereof that are not provided with the fire- resistive construction or fire-extinguishing systems or equipment required by this code, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.
43.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Possible inadequate structural resistance to horizontal forces.



I. Additional Safety Violations – Items identified in the field.	
44.	
45.	
46.	

J. Application and Plan Submittal Guidelines

You can find comprehensive plan submittal guidelines on the Building & Safety Division's [ADU Legalization Plan Submittal Guide](#)

Please note: During the review process, a new address will need to be assigned. **Proper addressing is required for permit issuance.** The street address fee will be included with your building permit fees.

K. Acknowledgment (Optional)–Your signature below indicates acknowledgment of the following.

- Accurate completion of this checklist is required to determine if any immediate substandard housing conditions exist in the structure.
- Completion of the checklist does not confer legality on the structure and will require final inspections after a building permit is issued.
- Any substandard or non-compliant items identified by the substandard checklist shall be addressed in the submitted plans for correction and will be verified during building inspections.

I hereby certify that this form reflects information obtained through field investigation and verification of existing construction conditions performed by me, or by personnel acting under my direct supervision, and is true and correct to the best of my knowledge.

LICENSED BUILDING CONTRACTOR		
Name:	Email:	Phone:
CSLB No.:	Class:	Exp. Date:
Signature:	Date:	



L. Building Inspection

- Accurate completion of this checklist is required to determine if any immediate substandard housing conditions exist in the structure.
- Completion of the checklist does not confer legality on the structure and will require final inspections after a building permit is issued.
- Any substandard or non-compliant items identified by the substandard checklist shall be addressed in the submitted plans for correction and will be verified during building inspections.

BUILDING INSPECTOR

Name:	Email:	Phone:
Signature:	Date:	