



MEANS AND METHOD PLAN FOR THE TENANT PROTECTION DURING CONSTRUCTION

Project Address _____

Owner _____ Phone _____

Applicant _____ Phone _____

- A) When applying for a permit to alter, repair, or rehabilitate a multi-family (a building with 2 or more units) residential structure, the applicant shall disclose the status of the building occupancy.
- B) If the property is tenant occupied and the construction work impacts the habitability of any unit on the property, prior to obtaining a permit, the applicant shall submit for approval a **construction means and method plan (MMP)** to the Building and Safety Division which contains the following information:
1. Detailed description of the construction process organized sequentially.
 2. An explanation of the impact that construction will have on the tenant(s).
 3. Owner's plan to address the habitability impacts on the tenants.
 4. A description of the construction mitigation measures that the owner will implement to minimize the impacts of noise, dust, vibrations, utility shut-offs, and other construction impacts on tenants.
 5. An assessment of whether any or all of the tenants will need to be temporarily relocated during any phase of the work. Note: A tenant will need to be temporarily relocated if the conditions of the property will render the premises unsafe for continued occupancy or if the construction impacts the habitability of the unit(s) as outlined below.
 6. If the construction **MMP** demonstrates that the work being performed requires temporary tenant relocation, the applicant shall also submit for review and approval a Tenant Temporary Relocation Plan prior to issuance of a permit.

Construction could impact unit habitability if any of the following conditions exist for a period exceeding one (1) working day.

Inadequate sanitation including, but not limited to:

- Lack of, or improper water closet, lavatory, or bathtub or shower.
- Lack of, or improper kitchen sink.
- Lack of hot and cold running water to plumbing fixtures.
- Lack of adequate heating.
- Lack of, or improper operation of required ventilating equipment.
- Lack of minimum amounts of required natural light and ventilation.
- Dampness of habitable rooms.
- Lack of connection to required sewage disposal system.

Structural hazardous conditions including, but not limited to:

- Deteriorated or inadequate foundations.
- Defective or deteriorated flooring or floor supports.
- Any other inadequate structural component of the building
- Wiring, plumbing, mechanical or electrical equipments no longer in conformance with applicable laws in effect at the time of installation.
- Faulty weather protection, including, but not limited, to ineffective waterproofing of exterior walls, roof, foundations, floors.
- The building, or portion thereof, is in such condition as to cause a fire or explosion from any cause.
- The building, or portion thereof, is an unsafe building as defined by the Dangerous Building Code of the City.
- The building, or portions thereof, does not have adequate exit facilities as required by the Building and Fire Codes.
- The building, or portions thereof, lacks the fire-resistive construction or fire-extinguishing systems required by the Building and Fire Codes.

C) Tenant Temporary Relocation Plan

The relocation plan shall contain:

1. Fair and reasonable relocation benefits will be provided to all displaced Tenants (SMMC Section 4.36.100).
2. Notice of the relocation assistance, benefits to be provided and the timing of the displacement provided to all affected tenants.
3. The applicant shall complete the Tenant Temporary Relocation Form available at the Building & Safety Division or the Housing Division and submit it to Jim Kemper in the Housing Division, Room 212.

D) Tenant Noticing Requirements.

1. Before a permit can be issued for the alteration/repair/rehabilitation of a building, which requires preparation of a construction **MMP**, the applicant must certify that all tenants of the property will receive the information required below within ten (10) days following the issuance of the permit.

The applicant must also certify that no work will commence under the permit until ten (10) days after all tenants are notified.

This notice shall either be hand-delivered or sent by certified mail to each tenant of the property, return receipt requested.

2. The notice required shall contain the following information:
 - A detailed description of the nature and type of construction activity that will be undertaken.
 - Information regarding the scheduling of construction and the periods in which services such as laundry, parking elevators, water and power will be unavailable.
 - A statement indicating that the construction being undertaken will not terminate the tenant's tenancy.
 - A statement informing the tenants of their right to seek mitigation from the property owner for nuisance conditions at the property, including, but not limited to, noise, dust, vibrations, utility shut-offs, and other construction impacts.
 - A statement informing tenants of their right to review and receive free copies of the owner's construction **MMP**.
 - A statement informing tenants of their right to review and receive free copies of the owner's relocation plan.
 - Information explaining how to contact the project applicant, including the designation of a project manager responsible for responding to tenant inquiries, complaints, and requests for mitigation of nuisance conditions.
 - A statement informing tenants that they should immediately contact the City's Building & Safety Division regarding any unsafe conditions, in violation of the City's Technical Codes, or in violation of the construction **MMP**.
 - The applicant shall also inform the tenants that the applicant will provide twice-monthly notices to the tenants regarding the progress of construction and will schedule monthly meetings to address the construction progress and obtain tenant input and feedback regarding the construction if construction project exceeds thirty (30) days in duration measured from the date that construction starts.
 - Any other information that the Building Officer determines is necessary due to unique circumstances of the project.
 - For projects that require temporary tenant relocation, the tenant notice shall include a statement indicating that no tenant lawfully occupying the property will be required to move without at least thirty (30) days written notice from the owner.