

ADU Rental Term: Check Before You Count the Income

Two documents set the minimum lease on an accessory dwelling unit, and they do not always agree.
Fill this in before you underwrite the rent. Every line is answerable from public records or one email.
Full explainer: alla-novytska.com/journal/burbank-vs-los-angeles-adu-rules/

1. THE UNIT

Property address

City

APN

Permit number for the ADU, if one exists

2. WHICH PATHWAY WAS IT APPROVED UNDER? THIS DECIDES EVERYTHING BELOW

State law treats these two differently. The permit record shows which one you have.

- ☐ Gov Code 66323, the state ministerial pathway
- ☐ The city's own ADU ordinance, Gov Code 66314
- ☐ Unpermitted, or nobody can tell me yet

Who confirmed it, and on what date

3. WHAT THE CITY CODE SAYS. COPY THE WORDING, NOT A SUMMARY

Municipal code section number

Minimum term it states (days)

Exact sentence from the code

4. WHAT STATE LAW SAYS

Gov Code 66323(e) requires a term longer than 30 days for a unit created under that section.
Short term and nightly letting is off the table statewide, whatever the city allows for the main house.

- a. Minimum under state law
- b. Minimum in the city code
- c. Do they match? If not, this is the gap

5. IF THERE IS A GAP, GET THE CITY'S POSITION IN WRITING

- ☐ Emailed the planning counter naming the subsection, not a general question
- ☐ Asked which number applies to the pathway in section 2 above
- ☐ Reply received in writing and saved to the file

Date asked / date answered

6. WHAT THE LONGER MINIMUM COSTS YOU

One turnover under a 90 day floor exposes you to three months of vacancy, not one.

- a. Expected monthly rent
- b. Minimum term you must offer (months)
- c. Rent at risk per turnover (a x b)

7. NOTES

State and city ADU rules change, and the pathway a unit was approved under changes which rule applies.
This sheet is general information, not legal or tax advice. Confirm current requirements with the city.