



# **Fee Waiver Program**

## **Broad, Franklin, and Palisades Fire**

### **Introduction**

The City Council hereby directs the City Manager to waive Planning and building permit fees for projects rebuilding like-for-like or like-for like plus 10% structures damaged or destroyed by the Broad, Franklin, and/or Palisades Fires where the property owner demonstrates to the satisfaction of the City Manager that the property was used as the primary residence by the property owner subject to the following requirements and limitations (Adopted by the City Council on July 14, 2025, Resolution No. 25-29)

### **Contact**

For more information or to begin the pre-screening process, visit the Malibu Rebuild Center at 23805 Stuart Ranch Road, Suite 240, Malibu, or contact [MalibuRecovers@malibucity.org](mailto:MalibuRecovers@malibucity.org), or call (310) 456-2489, extension 400.

### **Eligibility**

1. The waived fees will only be applicable to owners and/or heirs of properties being rebuilt as like-for-like or like-for-like plus 10% which were used as a primary residence by such owners and/or heirs in the Broad Fire area as of November 6, 2024; the Franklin Fire area as of December 9, 2024; and/or the Palisades Fire area as of January 7, 2025.
2. Fire Damage fee waivers shall apply to multi-parcel structures for eligibility purposes and are not limited solely to the residential parcel.
3. Single-family or duplex structures are eligible for fire damage fee waivers. No commercial rebuilds are eligible for this fee waiver program.
4. Fee waivers are applicable to City-issued permits for planning approvals, building permits, and temporary housing. Only City fees are eligible to be waived.

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5. Fee waivers are limited to damaged or destroyed structures (only like-for-like or like-for-like plus 10%), replacement or upgrade of onsite wastewater treatment systems, seawalls or other permitted infrastructure as required by the City, temporary water tanks or other suppression mechanism, damaged or destroyed accessory structures, hardscaping, and landscaping.
6. City Manager is defined for purposes of this Resolution as the City Manager or his or her designee.

## Application Requirements

1. The owner-occupied applicant must be the legal property owner or owner of a controlling interest in an entity (such as an LLC or similar entity) that holds title to the affected property as of the date of the applicable wildfire.
2. Upon request, the applicant must provide documentation establishing ownership, or controlling interest in the entity that owns the property, in the form of a Grant Deed, Operating Agreement, Trust Deed, or other documentation in a form acceptable to the City Manager.
3. The applicant shall, under penalty of perjury, certify that they are the owner of the subject property and occupied the property as their primary residence at the time of the applicable wildfire.
4. Property owners requesting a waiver of fees must demonstrate primary residency at the property destroyed by the Broad, Franklin, or Palisades Fires through documentation such as active voter registration, a valid driver's license, or other government-issued identification showing the property address, as deemed acceptable by the City Manager. Applicants must also provide proof of identification (if not provided as set forth above) and submit an affidavit on a form provided by the City.
5. The applicant shall execute and record a notarized affidavit with the Los Angeles County Recorder's Office, under penalty of perjury, affirming controlling ownership of the subject property, that they occupied the subject property at the time of the wildfire as their primary residence, and acknowledging provisions set forth in the adopted Resolution.
6. If a property owner is determined to be ineligible for the fire damage fee waiver at any point and repays all previously waived fees, the City shall issue written confirmation of repayment as determined by the City at its sole discretion. If an affidavit was recorded, it

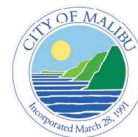
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shall be the sole responsibility of the property owner to prepare a release, notice of satisfaction, or other similar instrument in a form acceptable to the City. The City shall review the owner's prepared document and, if all requirements are met as determined by the City, the City will execute the document. The property owner shall bear sole responsibility for all recording costs and for ensuring that the executed document is properly recorded with the Los Angeles County Recorder's Office. The property owner shall provide a copy of the filed release document to the City upon acceptance by the Recorder's Office.

## **Requirements for Properties Owned by a Limited Liability Company or Corporation**

### **1. Affidavit Requirement**

Both the managing member and member of the LLC applying for the fee waiver must execute and record a notarized affidavit under penalty of perjury affirming:

- a. Ownership of controlling interest in property at the time of the applicable fire.
- b. That the applicant/member occupied the property as their primary residence at the time of the wildfire.
- c. No shares or membership interests in the LLC will be sold, transferred, or reassigned during the course of the rebuild of the residence.
- d. If such a transfer occurs before completion and final inspection of the rebuilt residence, the LLC will be obligated to reimburse the City of Malibu for all previously waived fees.
- e. Proof of identification and proof of primary residence as described in Application Requirements shall be an exhibit to the affidavit.

### **2. Recordation**

- a. The affidavit shall be recorded as a covenant against the property with the Los Angeles County Recorder's Office prior to applying for the fee waiver program.
- b. The covenant will run with the land and be binding on all successors in interest.

### **3. Second Affidavit Requirement**

The managing member and member of the LLC or corporation applying for the fee waiver must execute and record a notarized affidavit under penalty of perjury affirming at the time a Certificate of Occupancy is requested:

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- a. No shares or membership interest in the LLC have been sold, transferred or reassigned since the date of the applicable fire.

## Owner-Occupied Duplexes

1. The duplex must have been owner-occupied by both parties at the time of the wildfire.
2. Each owner must attest, under penalty of perjury, that they each owned and occupied their respective unit as their primary residence at the time of the fire.
3. Both owners must jointly record an affidavit against the property with the Los Angeles County Recorder's Office affirming these conditions and acknowledging provisions set forth in the adopted Resolution including that any fees that have been waived will have to be refunded before a Certificate of Occupancy will be issued if either of the owners sell their interest in the property.
4. The fee waiver may only be granted if both parties meet these requirements in full.

## Reimbursement Enforcement

1. If the property is sold prior to the issuance of a Certificate of Occupancy, waived fees are to be reimbursed by new owners if the property is sold within 90 days of the sale.
2. If the property is sold and waived fees have not been reimbursed to the City, the development process will be halted until waived fees have been reimbursed to the City.
3. A Certificate of Occupancy will not be issued until all waived fees required to be reimbursed have been paid to the City.
4. Additional fee waivers are not permitted for a property sold after the Certificate of Occupancy was issued.
5. The City reserves the right to place a lien on the property for recovery of waived fees if the conditions of the affidavit are violated or the terms and attestations in the affidavit are found to be false.

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## Restrictions

1. There are no income limits or restrictions as part of this fee waiver program.
2. All fees associated with post-approval revisions to the project's Planning approval or building permit issuance will be charged in accordance with the City's Adopted Fee Schedule and such costs are not eligible for fee waivers.

## Program Details

1. The fee waiver is applied at the time applications are submitted.
2. Fees paid by the applicant prior to applying and qualifying for this fee waiver program are eligible for reimbursement, as determined by the City Manager.

## Deadlines

1. Applications for the Fire Damage fee waiver program are due on or before 4 PM on June 30, 2028. The applications must be fully and accurately completed by the applicant and submitted in-person or by email.
2. Required planning applications for the project are deemed complete by June 30, 2028.
3. All required building permits are obtained by December 30, 2030 (fees will have to be paid for any building permit pulled after December 30, 2030 before it will be issued).

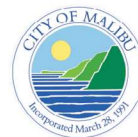
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## How to Apply

### Step 1: Pre-qualify

To pre-qualify for the Fee Waiver Program, please email the following information / documents to [MalibuRecovers@malibucity.org](mailto:MalibuRecovers@malibucity.org) or visit the Malibu Rebuild Center:

- Name (as it appears on Grant Deed, Operating Agreement, or Trust documents)
- Address of Destroyed/Damaged Property
- ID: Copy of Government-Issued ID
- Proof of Primary Residence: Government-issued ID with subject address or voter registration

### Step 2: Notification

Based on the information provided, City staff will notify you if you qualify for the program. If you qualify, City staff will prepare the Fee Waiver Program affidavit on behalf of the property owner(s).

### Step 3: Notarize Affidavit

Once the affidavit has been prepared by City staff, staff will notify the property owner(s) to pick up the affidavit to be notarized by a third-party notary. This is not a service provided by City Staff. Once the affidavit is notarized, the property owner(s) should return the affidavit to City staff so it may be recorded.

### Step 4: Recordation

As a courtesy to property owner(s), the City of Malibu City Clerk's Office will submit the affidavits for recording to assist property owners. Service/recording fees may be requested at this time. Once the affidavit is recorded, City staff will provide a copy to the property owners for their records.

## Refunds

Once you qualify for the Fee Waiver Program and the required documents are recorded, City staff will begin to prepare your refund request. A refund check will be issued by mail within four weeks of qualifying for the program. If you have questions regarding the status of your refund request after four weeks, you may email [MalibuRecovers@malibucity.org](mailto:MalibuRecovers@malibucity.org).

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