



# CLAIM FOR REFUND

CLAIM # \_\_\_\_\_

Received Date Stamp

Print Name of Claimant (Last) \_\_\_\_\_ (First) \_\_\_\_\_

Mailing Address \_\_\_\_\_ (Street) \_\_\_\_\_ (City) \_\_\_\_\_ (State/Zip) \_\_\_\_\_

(Area Code) (Phone Number) \_\_\_\_\_

### REFUND INFORMATION

**JOB LOCATION:** \_\_\_\_\_

**Amount Claimed \$** \_\_\_\_\_ **Date Fees Paid:** \_\_\_\_\_

**RECEIPT #/PERMIT #/REFERENCE #:** \_\_\_\_\_

**STATE REASON FOR REQUESTING A REFUND - (Details):** \_\_\_\_\_

**NOTE:** A Claimant may be required to submit to examination under oath. (Charter Section 217.)  
Presentation of a false claim is a felony. (California Penal Code Section 72.)

**I HEREBY CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE.**

SIGNATURE AND TITLE OF CLAIMANT	DATE
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**FOR DEPARTMENT OF BUILDING & SAFETY USE ONLY**

**AMOUNT APPROVED FOR REFUND \$** \_\_\_\_\_

**REMARKS:** \_\_\_\_\_

Audited by:	Date:
Approved by:	Date:

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities.

## What form do I use?

Claim for Refunds must be prepared on the Department of Building and Safety Claim for Refund form. You may also use the "City of Los Angeles Claim For Refund" form (Form Gen 64).

## Where do I get the forms?

For a printable online claim form, go to the LADBS Home Page at [www.ladbs.org](http://www.ladbs.org). Claim forms are also available from all Department of Building and Safety Cashiers located at each District and Branch Office. They may also be obtained from Financial Services 201 N. Figueroa St., Room 740, Los Angeles or at any Office of the City Clerk. You may request that a refund form be mailed to you by calling the Financial Services Office at (213) 482-6890 or toll free (LA County): 311 or (866) 4LA-CITY. They can also answer questions you may have. Please use the comments section on the Home page to request a form.

## What do I need to attach?

You will need to attach your original cash register receipt and your application or permit copy containing the original cash register validation. If you do not attach your original receipt and application or permit, an affidavit stating why you cannot submit the originals, signed by you and notarized, will be accepted. However, if you submit an affidavit in lieu of receipts, you will also be required to submit a copy, front and back of your canceled check or other proof of payment. Your claim will NOT be processed without these documents.

## Where do I file the refund?

Your completed refund form and attached documents can be filed at any Office of the City Clerk or mailed to:

City Clerk  
Room 395, City Hall  
200 N. Spring St.  
Los Angeles, CA 90012-4869

You may also submit your refund form at any Department of Building & Safety cashier counter. The cashier will then forward the claim to the City Clerk's Office.

## How long do I have to file a claim?

A claim for refund of fees paid to the Department of Building and Safety must be filed:

1. Within one year from the date of payment of the fee (L.A.M.C. Section 22.12 & 22.13) or
2. Within one year from the date of expiration of extensions on building or grading permits granted by the Department of Building and Safety (L.A.M.C. Section 98.0420).

## What will be refunded?

Refunds will be made on fees where no work has been performed for which the fee, application, permit or appeal was required, provided that the City has not made any physical inspection or review or conducted any hearing, conducted any test, or done any similar work. Under these conditions, 80% of the fees paid will be refunded (20% is retained to cover clerical and administrative costs). If a valuation on a building permit was reduced, 100% of the difference will be refunded. If a Department of Building & Safety error was made in issuing the application, 100% of the fees paid will be refunded.

## What happens to my refund claim?

1. The City Clerk's office will assign a number, date stamp and log in your claim. They will then send it to Building and Safety, Financial Services for review.
2. Financial Services staff will also log it in. The refund will be forwarded to the applicable division for refund recommendation. For example, if the refund is for a building permit, requests will be sent to our Plan Check Engineers and our Building Inspectors. Our Department staff will review the refund requests and make appropriate recommendations. These recommendations will be sent back to Financial Services.
3. Financial Services staff will complete the audit on the claim, make the necessary calculations and set up either the refund or the denial letter. When completed, the refund or denial letter will be mailed to the claimant.

## REFUND POLICY

### **SEC. 98.0420 REFUNDS OF DEPARTMENT FEES (Added by Ord. No. 171,185, Eff. 7/22/96.)**

No claim for refund of Department fees shall be allowed in whole or in part unless filed with the City Clerk within 12 months from the date of expiration of the permit/application or of any extensions granted by the Department or within 12 months from the date of any Department or Board action in which a valuation, as required by Chapter IX of the Los Angeles Municipal Code, is lowered pursuant to the provisions of Section 98.0403.1 of this Code. In the case a valuation is lowered, the refund shall be 100% of the difference paid and what should have been paid on all fees.

Insofar as the provisions of this section are in conflict with the provisions of Sections 22.12 and 22.13 of the Los Angeles Municipal Code, the language of this section shall be construed to control and supersede the language of said sections as to any such conflict.

### **SEC 22.12. REFUNDS - TAX, LICENSE AND PERMIT FEE IN EXCESS OF \$5,000. (Amended by Ord. No. 173, 587, Eff. 12/7/00.)**

**(a) (Amended by Ord. No. 170,745, Eff. 12/3/95.)** Whenever any money is excess of \$29,457.00, including any tax administered by the City, license or permit fee, or fee for the renewal or transfer thereof, is collected or received by this City, it may be refunded as herein provided, and not otherwise, if a verified claim in writing therefore is filed with the City Clerk within 12 months after the date of payment. The claim shall be audited in the manner provided for in the Charter and shall be made on forms prescribed by the Controller. Such refund may be made only under the following conditions:

1. In any of the conditions specified under Subsection (a) of Section 22.13 of this Code.
2. Where the money paid was not required by law, or, was erroneously or illegally collected or received by this City through mistake, inadvertence or error of law or of fact, and whether paid or charged under color of any provision of this Code, or otherwise.

**(b)** This section is remedial in purpose; its terms and requirements shall not be deemed to limit or qualify the lawful right of any person to bring or maintain any action or proceeding based upon the general law of this state for any remedy provided by that law. **(Added by Ord. No. 79,588, Eff. 5/21/38.)**

**(c)** The monetary limitations in Subsection (a) above shall be subject to an adjustment at the beginning of each fiscal year after 1995-96 based upon the Consumer Price Index for all urban consumers for the Los Angeles area published by the United States Department of Labor, Bureau of Labor Statistics. The Controller shall calculate the adjustment in accordance with the methodology used to calculate monetary limits for intra departmental fund transfers pursuant to Los Angeles City Charter Section 343(c) and shall notify department heads in writing of the adjusted monetary limit. **(Amended by Ord. No. 173,304, Eff. 6/30/00, Oper. 7/1/00.)**

### **SEC. 22.13. REFUNDS OF TAX, LICENSE PERMIT OR APPLICATION FEES BY HEADS OF DEPARTMENTS. (Amended by Ord. No. 173, 587, Eff. 12/7/00.)**

**(a)** The head of a department in which there is collected or received for and on behalf of the City any tax administered by the City, license fee, permit fee or application fee may, upon written application of the person who paid such tax or fee, filed with the City Clerk, refund all or part of such payment as herein provided, and not otherwise, without the necessity of first receiving the approval of the City Council therefore, if such refund does not exceed the sum of \$29,457.00, and if such department head is satisfied, upon such proof as may be presented to or required by him, that any of the following conditions exist:

1. Where a refund is specifically authorized by the provision of law requiring payment of the tax, license, permit or application fee.
2. Where the money is paid to secure a business tax registration certificate, license or permit not required by law.
3. Where the amount paid was in excess of the amount required by law.
4. Where the money paid was not required by law.
5. Where the applicant for any business tax registration certificate, license or permit has not, at any time after

the commencement of the period or term during which the requested certificate, license or permit would have been effective, commenced or engaged in the business or occupation, or performed any act, for which the certificate, license or permit was required; or where a person has filed an application or appeal and subsequently has withdrawn said application or appeal; provided, however, that the City has not made any physical inspection or examination of real property, held or conducted any hearing, performed any tests, or done any similar work, whether required or contemplated by law or not, as a result of the filing or issuance of any of the foregoing; and, provided further, that the certificate, license, or permit, if the same has in fact been issued, must be surrendered for cancellation and a written request for such cancellation must be filed with the department of the City issuing the same on or before the date of refund. In case of refunds made under this condition, 20 percent of the amount paid shall be deducted and retained by the City to cover clerical and other overhead costs and expenses entailed in the transaction.

**(b)** The provisions of this section shall not relieve any person from compliance with the provisions of Section 350 of the Charter relating to the presentation of claims prior to the bringing of a suit or action thereon, or be deemed to limit or qualify the lawful right of any person to bring or maintain any action or proceeding based upon the general law of this state for any remedy provided by that law. **(Amended by Ord. No. 173,304, Eff. 6/30/00, Oper. 7/1/00.)**

**(c)** The head of any department making any refund of fee hereunder is hereby authorized to cause a demand to be drawn on the general fund or such other fund in which said tax, license, permit or application fee may have been deposited. **(Added by Ord. No. 88,458, Eff. 6/9/44.)**

**(d)** The head of any department, authorizing any refunds of taxes or fees hereunder, shall cause a detailed report thereof to be made, showing the names and addresses of the persons receiving such refunds, the amounts thereof, the kinds of taxes or fees refunded, and reasons why said refunds were made. Such report shall be transmitted to the Council at such times as the Council may require. **(Added by Ord. No. 88,458, Eff. 6/9/44.)**

**(e)** The monetary limitations in Subsection (a) above shall be subject to an adjustment at the beginning of each fiscal year after 1995-96 based upon the Consumer Price Index for all urban consumers for the Los Angeles area published by the United States Department of Labor, Bureau of Labor Statistics. The Controller shall calculate the adjustment in accordance with the methodology used to calculate monetary limits for intra departmental fund transfers pursuant to Los Angeles City Charter Section 343(c) and shall notify department heads in writing of the adjusted monetary limit. **(Amended by Ord. No. 173,304, Eff. 6/30/00, Oper. 7/1/00.)**

### District and Branch Offices

**Visit us at one of the following Building and Safety office locations:**

#### **COUNTER HOURS**

Monday, Tuesday, Thursday, Friday: 7:30 am – 4:30 pm  
Wednesday: 9:00 am – 4:30 pm

#### **Downtown**

201 N. Figueroa St. 4<sup>th</sup> Fl.  
Los Angeles, CA 90012

If parking in Figueroa Plaza,  
the first 30 minutes are free.  
Obtain validation stamp on the 4<sup>th</sup> floor.

#### **South L.A. \***

8475 S. Vermont Ave. 2<sup>nd</sup> Fl.  
Los Angeles, CA 90044

Metered parking next to the Constituent Services  
Center and metered street parking.

#### **West Los Angeles**

1828 Sawtelle Blvd. 2<sup>nd</sup> Fl.  
West Los Angeles, CA 90025  
Metered street parking

#### **FOR INFORMATION**

311  
(866) 4LA-CITY (Inside L.A. County)  
(213) 473-3231 (Outside L.A. County)

#### **San Pedro \***

638 S. Beacon St. Room 276  
San Pedro, CA 90731

Metered street parking.

#### **Van Nuys**

6262 Van Nuys Blvd.  
Van Nuys, CA 91401

Metered street parking.  
Commercial parking lots in the area.

\* San Pedro and South L.A.

Offices are closed between noon – 1:00 pm daily.