

HOME RENTAL OR PURCHASE – A LEGAL TRANSACTION

Under the Mobilehome Residency Law, a park owner cannot make signing a long-term lease a condition of sale.

If you sign a long-term lease you may have greater difficulty when you decide to sell your home because it will not be under rent control during the term of the lease.

Buying or renting a home in the manufactured home community where you buy/rent the dwelling but lease the land under it, involves laws (taxing, assessments, etc.) which are often quite different from “built in place” homes.

Be aware that that these are legal transactions. Many parks have homeowner associations that can offer you the benefit of their experience and resources in providing you the information for you to make the best possible decision.

Take time to study the rental agreement/lease that you are asked to sign. If your circumstances require that you must sign at once, you may sign a month-to –month rental agreement and then come back and sign the long-term lease when you fully understand it.

ADDITIONAL ASSISTANCE

Senior Citizens Legal Services
(831) 426-8824

Senior Network Services (831) 426-1433

HCD Mobilehome Ombudsman Office
(800) 952-5275

Website: www.hcd.ca.gov

Email: ombudsman@hcd.ca.gov

CA Department of Housing and
Community Development (HCD)
Field office (916) 255-2501

Department of Fair Employment and
Housing (DFEH) (800) 884-1684

District Attorney’s Department of
Consumer Affairs (831) 454-7303

Office of the County Counsel
(831) 454-2115

The State Senate has published a brochure “What Every Mobilehome Owner Should Know” which is available in the State Senate offices located in the County building, 701 Ocean St., 3rd floor, Santa Cruz, CA 95060

<http://mobilehomes.senate.ca.gov/>



TO PROSPECTIVE MOBILEHOME OWNERS

THINGS YOU SHOULD KNOW BEFORE YOU SIGN

AN IMPORTANT MESSAGE FROM THE MOBILE and MANUFACTURED HOME COMMISSION of SANTA CRUZ COUNTY



Santa Cruz County
Mobile and Manufactured
Home Commission
(831) 454-2772

Santa Cruz County Mobilehome Commission

Santa Cruz County Mobile and Manufactured Home Commission was established in 1981 to assist the public with various aspects of Manufactured Home Park living. Whether you are an experienced Park resident or a first-time buyer, there are important things you should know before you sign a rental agreement.

As a first time buyer you will meet with a Park Manager and you will be asked to sign a rental agreement before you move in. State law allows you a choice of signing a month-to-month or a one year agreement. The management is also allowed to offer you a long-term (more than one year) lease.

The County of Santa Cruz has a Mobilehome Rent Adjustment Ordinance

If you sign a long-term lease, over 12 months, this ordinance will not apply to you and you lose this valuable protection.

Currently, in the incorporated areas of the County, only the Cities of Watsonville and Scotts Valley have Mobile Home Park Rent Stabilization Ordinances passed by their voters. The Cities of Santa Cruz and Capitola rescinded their rent control laws in 2004 and 2012, respectively.

Protections Offered Under The Santa Cruz County Rent Adjustment Ordinance Mobilehome

SANTA CRUZ COUNTY RENT ADJUSTMENT ORDINANCE PROTECTIONS

As long as your manufactured home is your primary residence and otherwise covered by the Rent Adjustment Ordinance, your rent may be raised only once per year and increases are limited to the criteria provided in the ordinance.

The rent may not be raised when the manufactured home is sold.

Park residents have the right to challenge a rent increase and have the matter heard by a County contracted independent Hearing Officer.

Free legal assistance may be available to you if you dispute a rent increase or if there is a reduction or elimination of a service in your manufactured home park.

The County's Rent Adjustment Ordinance Rent Control Section can be viewed online at <http:scccouny01.co.santa-cruz-ca.us/mhc/index.html>

LONG TERM LEASE (longer than one year) POTENTIAL PITFALLS

After the long term lease term expires, your rent may be increased more than your neighbors who are protected by the County Rent Adjustment Ordinance. Your new base rent will be the last monthly rent charged under the lease, whereas, your neighbor's base rent under the ordinance may be based on monthly rents in 1982.

Without your prior consent, you may be charged a pass-thru or rent increase to pay for a "capital expense" (anything the park owner says has a useful life of over twelve months).

If you leave before the lease expires, you may be forced to find a buyer for your manufactured home who will accept the remaining period of the lease you signed or a new lease acceptable to the park owner. As a new owner may have to accept an increase in rent as a requirement of the sale, he/she may ask you to lower your selling price to make up for the increase in rent.

Be sure to read the many pages of your long-term lease carefully. There may be other pitfalls and requirements not allowed under the County Mobilehome Rent Adjustment Ordinance and/or the State Mobilehome Residency Law.