

# **CORRECTED**

## **MINUTES MOBILEHOME COMMISSION MEETING**

**January 28, 2010**

### **Elena Baskin Live Oak Senior Center**

**COMMISSIONERS PRESENT:** Jean Brocklebank, 1<sup>ST</sup> District  
Henry Cleveland, 2<sup>ND</sup> District  
Mardi Brick, 3<sup>rd</sup> District  
William Neighbors, 4<sup>th</sup> District  
Rick Halterman, 5<sup>TH</sup> District  
Bonnie Lund, WMHA Representative

**COMMISSIONERS ABSENT:** Carol Lerno, GSMOL Representative

**BOARD OF SUPERVISORS  
REPRESENTATIVE:** John Leopold, County Supervisor First District

**COUNTY COUNSEL:** Marie Costa

**SECRETARY:** Lee Ann Shenkman

**LEGISLATIVE REPORT** Jerry Bowles

#### **I. CALL TO ORDER/ ROLL CALL/APPROVAL OF DECEMBER MINUTES**

Chair Henry Cleveland called the meeting to order at 9:30 a.m. There were 6 members of the public in the audience. The minutes of the December 3, 2009, meeting were reviewed and upon motion by Commissioner Neighbors, seconded by Commissioner Brocklebank, the December 3, 2009, minutes were approved.

#### **II. BUSINESS**

##### **A. Commissioner Reports**

Commissioner Cleveland informed the Commission that in Saturday's Santa Cruz Sentinel, the Real Estate Section featured a brand-new, 2 bedroom 2 bath, mobilehome in Watsonville which was for sale for \$169,000, reduced from \$220,000.

Commissioner Brocklebank apologized to the Commission for not looking into a question that was asked last month regarding an advertisement for a rental in a mobilehome park on 38<sup>th</sup> Avenue. Lee Ann Shenkman informed the Commission that if the park owner owns the rental space and mobilehome, the owner can rent the mobilehome and space and it is not under rent control.

Commissioner Halterman reported that a hearing was held by the Capitola Planning Commission on the conversion of Surf and Sand Mobilehome Park, and it recommended turning down the conversion based both on the State's Government Code and the Mello Act. This will go before the Capitola City Council on February 18, 2010.

Commissioner Brick reported that she spoke at the County Planning Commission meeting on December 9, 2009, regarding Alimur Mobilehome Park. A resident of Surf and Sand Park asked Mardi Brick for support; Ms. Brick agreed to write a personal letter of support and said she would ask residents in her park to sign the letter.

Commissioner Brocklebank requested that an item be placed on the Commission's February 2010 meeting to discuss adding an item to the Commission's website regarding public meetings that are relevant to mobilehome issues. Commissioner Brocklebank also thanked Commissioner Brick for supporting other County mobilehome residents with the work she and other residents in the De Anza Mobilehome Park have done.

### **B. Legislative Report**

Jerry Bowles updated the Commission on legislation. The Legislature is currently working on the state budget. This year the Legislature has reduced the number of bills that can be introduced. Senators can only introduce eight bills this session; the Assembly also has reduced the number of bills that can be introduced. There are approximately eight existing two-year bills that he will continue to track. Any new bills have to be introduced by February 18, 2010. GSMOL is not planning on introducing new bills this year; WMA may reintroduce vacancy decontrol in a different format.

The status of legislative bills can be seen on the Senate Select Committee website: <http://sinet2.sen.ca.gov/mobilehome/> and also on <http://www.leginfo.ca.gov/>.

### **C. County Counsel Report**

County Counsel prepared a handout that included Civil Code §798.21 which states that while a homeowner, real estate broker, or mobilehome dealer is attempting to sell a mobilehome and they are actively marketing and advertising the mobilehome for sale, then that space is not exempt from rent control. The handout also included Civil Code §798.23.5 regarding subleasing in a rent control park; a homeowner may not charge a renter or sublessee more than an amount necessary to cover the cost of space rent, utilities, and scheduled loan payments on the mobilehome. Pertinent parts of the County Code regarding rent control of mobilehomes was also included: §13.34.030 states that an owner of a mobilehome in a park cannot be prohibited from renting the mobilehome as long as one or more other mobilehomes in the park are being rented or offered for rent by the mobilehome park owner.

### **D. County Supervisor Report**

County Supervisor John Leopold reported that at last Tuesday's Board of Supervisor's meeting, the Board reheard the application for the Alimur Mobilehome Park regarding the conversion of this park. The County originally heard the application in spring and denied it based on the County's conversion ordinance, Chapter 14.08. County Code Chapter 14.08 was subsequently rescinded in September 2009, and the County agreed to rehear the application based on the California Government Code. The park owner sued the County for \$15 million, but the Court determined it was moot since the County was going to rehear the application request. On Tuesday the Board of Supervisors reheard the application and voted unanimously to deny the application because the resident vote was approximately 114 to 2 against the conversion.

Supervisor Leopold distributed a letter written by the CEO of Bay Federal Credit Union which was a letter of support for the Alimur residents. This letter is important because Bay Federal is a major lender in Santa Cruz County that has approximately \$109 million in mobilehome mortgages, and the letter informed the County Supervisors of the impact that this conversion would have on affordable housing in the community.

Supervisor Leopold provided an update on the Changeout Program. The Program was suspended approximately two months ago. There were 25 people who had already made applications for the Changeout Program when it was suspended. These applicants are in the process of moving through the process with the County's housing program. The majority of them will likely be able to continue to move through the process; however, lenders for some applicants will not allow the County to move into the first position (which is required as part of the program). There is a risk in going through the mobilehome Changeout Program for both the homeowner and the County due to the changing nature of the mobilehome market. Once this Program is completed, the County will assess where the market is to determine whether this Program can continue to be offered or if changes need to be made to the Program.

Supervisor Leopold informed the Commission that Sue Reynoldson, a frequent attendee of Mobilehome Commission meetings, contacted Supervisor Leopold to meet with Assemblymember Bill Monning to discuss mobilehome issues. Supervisor Leopold has met with Jerry Bowles and a legislative liaison from GSMOL to discuss how Assemblymember Monning, who is supportive of mobilehome residents, can take a leadership role for residents.

**E. Recommendation to Change Name of Mobilehome Commission to Manufactured Home Commission (Item Requested by Commissioner Brick)**

Commissioner Brick recommended changing the name of the Mobilehome Commission to the Manufactured Home Commission for the purpose of clarification to the public and to make the name more current since the homes are no longer mobile. Commissioner Brocklebank supported the idea, however, she was concerned that the older homes would still be covered under the umbrella of the Commission.

Jerry Bowles informed the Commission that approximately six years ago the Legislature passed a bill adding the words "manufactured home" and showed in the bill that mobilehomes and manufactured homes were interchangeable.

Commissioner Brick made a motion that the Commission write a letter to the Board of Supervisors requesting that the Commission be renamed the Manufactured Home Commission; Commissioner Brocklebank seconded. After discussion, a vote was taken: two in favor, four opposed. The motion failed.

Another motion was made by Commissioner Halterman that the Commission write a letter to the Board of Supervisors requesting that the Commission be renamed to the Mobile & Manufactured Home Commission; Commissioner Lund seconded. A vote was taken: three in favor, two opposed, one abstention. The motion carried.

**III. CORRESPONDENCE**

January 25, 2010, letter from Bay Federal Credit Union written by Carrie Birkhofer, President and CEO, to the Santa Cruz County Board of Supervisors, was provided as a handout at the Mobilehome Commission meeting.

**IV. COMMUNITY INPUT**

A resident of Shoreline Mobilehome Park informed the Commission that they tested their emergency preparedness response when a recent storm created a power outage in the park. About 1/3 of the residents in the park could not be contacted because they only had cordless telephones, no telephone landlines. Therefore, that park will continue to work on its emergency preparedness plan.

A resident from Pleasant Acres informed the Commission that the management of that park is having difficulty managing the organization of the park and they are out of compliance with annual rent increases. They are in the process of trying to work out the issues, but it is going very slowly. Terry Hancock is aware of the issues and has had discussions with the residents of the park. Supervisor Leopold will talk to the County housing staff to see if they can help the process.

Jerry Bowles brought a petition #09-0063 which prohibits the State from taking local tax dollars, gas tax dollars, and redevelopment fees from local government so that the money collected here would remain here. This petition is supported by the League of California Cities.

A resident from Blue and Gold Mobilehome Park reported that the lighting in her park has problems. The Commission informed her that lighting is enforced by the Department of Housing and Community Development (HCD). She should contact HCD and specify that it is a safety issue causing a dangerous condition. The residents should not be charged for HCD to inspect when it is a safety issue. Also, storage of old carpets, non-functioning cars, etc. in the carport area are also covered under Title 25 and HCD can be notified of those violations as well.

**V. ADJOURNMENT**

The meeting was adjourned at 10:40 A.M. The next meeting will be February 25, 2010.

Respectfully submitted,

  
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Lee Ann Shenkman, Staff Secretary to the  
Mobilehome Commission

Approved:   
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