

**MOBILEHOME COMMISSION MEETING**  
**ELENA BASKIN LIVE OAK SENIOR CENTER**  
**1777 CAPITOLA ROAD, SANTA CRUZ, CALIFORNIA 95062**

**January 26, 2006**  
**9:30 A.M.**

**I. CALL TO ORDER/APPROVAL OF JUNE MINUTES / AGENDA ADDITIONS.**

**II. BUSINESS**

- a. Revised Mobilehome Calendar
- b. Commissioner Reports
- c. Legislation

**III. CORRESPONDENCE**

Supervisor Campos's letter to the Board of Supervisors

**IV. COMMUNITY INPUT**

**V. ADJOURNMENT**

**The next Mobilehome Commission meeting will be February 23, 2006**

For further information, please contact the Office of the County Counsel, 454-2040.



As a courtesy to those persons affected, please attend the meeting smoke and scent free. Please turn off cell phones.

Mobilehome Commission By-Laws, Paragraph 7, Agenda states: Public participation in Commission meetings shall be allowed as follows:

1. An opportunity for members of the public to directly address the Commission on any item on the agenda of interest to the public shall be provided before or during the Commission's consideration of the item.
2. In addition, the agenda will provide for community oral communication on the items not on the agenda, which are within the subject matter jurisdiction of the Commission at the end of each regular meeting agenda.

# **MINUTES**

## **MOBILEHOME COMMISSION MEETING**

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**January 26, 2006**

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

**COMMISSIONERS PRESENT:** Bonnie Lund  
Carol Lerno  
Rick Halterman  
Doug Lamb  
Mary Louise Crowther

**COMMISSIONERS ABSENT:** Ruth Hunter  
Jean Brocklebank

**BOARD OF SUPERVISORS  
REPRESENTATIVE:** Jan Beautz

**COUNTY COUNSEL:** Absent

**SECRETARY:** Lee Ann Shenkman

**GUESTS:** None

Chair Rick Halterman called the meeting to order at 9:30 a.m. There were 9 people in the audience. The minutes of the December 8, 2005, meeting were reviewed and Commissioner Lund corrected the "minutes of the August 25, 2005 meeting" to the "minutes of the October 26, 2005 meeting." Upon motion of Commissioner Lerno, seconded by Commissioner Crowther, the corrected December 8, 2005, minutes were approved.

#### **I. ADDITIONS AND DELETIONS TO THE AGENDA**

No deletions or additions. Commissioner Lund corrected the date from "Approval of June Minutes" to "Approval of December Minutes."

#### **II. BUSINESS**

##### **A. Revised Mobilehome Calendar**

A member of the audience requested clarification of the purpose of the space fees which are due in March. Commissioner Halterman explained that the space fees are charged only to parks in the unincorporated areas of the County of Santa Cruz.

## **B. Commissioner Reports**

1. Commissioner Crowther reported that the residents in her park are trying to buy the park. They are still figuring out the 70% - 30% issue and waiting to hear from the judge. Once they get the 70% they will go for the 30%. They have funding from investors. The judge ruled that they have 70% but the judge has not given his final decision because there are very complicated calculations that still need to be done. Once the calculations are completed, the calculations will go to the attorney and then to the judge. It will be final sixty days after the calculations go to the judge. The trial was held on January 10, 2005.

2. Commissioner Lerno stated that as a member of GSMOL (Golden State Manufactured-Home Owners League) they would like to obtain as much legislation as possible to allow parks to help themselves.

3. Commissioner Halterman stated that there is a coalition of mobile home owners in Los Angeles County which just celebrated its first anniversary. The coalition represents all parks, not just ROPs.

## **C. Legislation**

Commissioner Halterman contacted the office of Assemblymember Laird regarding AB 396 but no one in his office knew what had happened and they could not find any action being taken. Commissioner Halterman will call Alice to see if she knows.

## **III. CORRESPONDENCE**

Commissioner Halterman reported that the County Board of Supervisors accepted and filed the Annual Report of the Mobilehome Commission as recommended by Supervisor Campos, and that Supervisor Campos' letter further thanked the members of the Commission for their efforts on behalf of the County.

## **IV. COMMUNITY INPUT**

Commissioner Crowther questioned the status of Cabrillo Park where there was a reduction of services due to residents being locked out of the clubhouse. Commissioner Halterman heard that the homeowner's association wanted to take over the park. They were informed that they can go to the City Council and request a rent reduction based on reduction in services. The homeowners' association is negotiating with the owner, Albert Viera now.

A member of the audience requested that copies of the Annual Report of the Mobilehome Commission be brought to the next meeting.

Two members of the audience who are residents of the Blue Pacific Mobilehome Park in Aptos opened up a lengthy discussion with an inquiry as to where they could obtain help. The manager of the park is not taking care of routine maintenance, such as

plumbing work that was started but not completed, asphalt was taken out but not replaced, the pool temperature is not maintained, gas mains are not maintained so the PUC issued a citation, heaters in the clubhouse are not fixed and mold was on pockets of the pool table, there are cracks in the walkways, the common areas are not being maintained. The residents requested a report from the PUC but they have not yet received it. The park owner is Vidovich out of Sunnyvale. They have contacted an attorney in San Diego who is considering the case. Supervisor Beautz told the residents that if they have a resident in their park who is at least 55 years old they can call County Counsel and receive a referral to Terry Hancock for Senior Legal Services. They should also contact Morgan Taylor in the District Attorney's Office if this is a case of bad business practices such as lack of maintenance of gas lines. Commissioner Halterman stated that residents in his park had contacted Morgan Taylor and he sent out an investigator. Supervisor Beautz also suggested to the residents that they call the County Environmental Health Department. If that department does not help them, then they are welcome to call Supervisor Beautz or Pirie depending upon which district their park is in. Other issues these residents have concerns parking and whether or not they can park on the street and if the park can make a rule which disallows residents to park in front of their homes. The park only has two guest parking spots for a park which has over 100 mobile homes. The residents were told to refer to Section 1106 and Title 25 which is what the fire departments use to determine the legality of parking on roadways. Supervisor Beautz reiterated that if the residents are referred to Terry Hancock he can write a letter, Environmental Health will go out to the park to inspect, and Morgan Taylor will also respond.

Commissioner Halterman requested that Morgan Taylor be invited to speak to the Commission at one of the next couple of meetings so that he can explain what services he can provide mobilehome park residents.

The meeting was adjourned at 10:02 A.M. The next meeting will be February 23, 2006.

Respectfully submitted,

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Lee Ann Shenkman, Staff Secretary  
To the Mobilehome Commission

**MOBILEHOME COMMISSION MEETING**  
**ELENA BASKIN LIVE OAK SENIOR CENTER**  
**1777 CAPITOLA ROAD, SANTA CRUZ, CALIFORNIA 95062**

**February 23, 2006**  
**9:30 A.M.**

- I. CALL TO ORDER/APPROVAL OF JANUARY MINUTES / AGENDA ADDITIONS.
- II. BUSINESS
  - a. Commissioner Reports
  - b. Legislation
- III. CORRESPONDENCE  
Supervisor Stone's Letter of Appreciation to the Mobile Home Commission
- IV. COMMUNITY INPUT
- V. ADJOURNMENT

**The next Mobilehome Commission meeting will be March 23, 2006**

For further information, please contact the Office of the County Counsel, 454-2040.

As a courtesy to those persons affected, please attend the meeting smoke and scent free. Please turn off cell phones.

Mobilehome Commission By-Laws, Paragraph 7, Agenda states: Public participation in Commission meetings shall be allowed as follows:

1. An opportunity for members of the public to directly address the Commission on any item on the agenda of interest to the public shall be provided before or during the Commission's consideration of the item.
2. In addition, the agenda will provide for community oral communication on the items not on the agenda, which are within the subject matter jurisdiction of the Commission at the end of each regular meeting agenda.

**MOBILEHOME COMMISSION MEETING**  
**ELENA BASKIN LIVE OAK SENIOR CENTER**  
**1777 CAPITOLA ROAD, SANTA CRUZ, CALIFORNIA 95062**

**March 23, 2006**  
**9:30 A.M.**

**I. CALL TO ORDER/APPROVAL OF FEBRUARY MINUTES / AGENDA ADDITIONS.**

**II. BUSINESS**

- a. Morgan Taylor, District Attorney's Office
- b. Legislation
- c. Commissioner Reports

**III. CORRESPONDENCE**

Letter from County Counsel to Smithwood Mobilehome Park Regarding  
Alleged Interference with Sale of Homes and Alleged Requirement of Removal  
of Homes from the Park

**IV. COMMUNITY INPUT**

**V. ADJOURNMENT**

**The next Mobilehome Commission meeting will be April 27, 2006**

For further information, please contact the Office of the County Counsel, 454-2040.

As a courtesy to those persons affected, please attend the meeting smoke and scent free. Please turn off cell phones.

Mobilehome Commission By-Laws, Paragraph 7, Agenda states: Public participation in Commission meetings shall be allowed as follows:

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# **MINUTES**

## **MOBILEHOME COMMISSION MEETING**

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**March 23, 2006**

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

**COMMISSIONERS PRESENT:** Bonnie Lund  
Carol Lerno  
Rick Halterman  
Doug Lamb  
Mary Louise Crowther  
Jean Brocklebank

**COMMISSIONERS ABSENT:** Ruth Hunter

**BOARD OF SUPERVISORS  
REPRESENTATIVE:** Jan Beautz

**COUNTY COUNSEL:** Marie Costa

**SECRETARY:** Lee Ann Shenkman

**GUESTS:** Morgan Taylor  
Jerry L. Bowles

Chair Rick Halterman called the meeting to order at 9:30 a.m. There were 9 people in the audience. The minutes of the February 23, 2006, meeting were reviewed and upon motion of Commissioner Lerno, seconded by Commissioner Lamb, the February 23, 2006, minutes were approved.

#### **I. ADDITIONS AND DELETIONS TO THE AGENDA**

Commissioner Halterman noted the addition of the Smithwoods Park March 10, 2006 letter of response to County Counsel's March 7, 2006 letter.

#### **II. BUSINESS**

##### **A. Morgan Taylor, District Attorney's Office**

Morgan Taylor from the District Attorney's Office was invited by the Commission to today's meeting to answer questions. For most problems, with the exception of park owners interfering with the sale of mobilehome units, the residents need to initiate the complaint through HCD (the State Department of Housing and Community Development) or another public agency. A problem that the District Attorney's office handles without a referral is when a resident

wants to sell their unit to someone who will take over their rent controlled spot and the park owner interferes. However, this has not come up for several years with the exception of one complaint in December, but the person never followed through with information the District Attorney's office needed in order to pursue the complaint. Usually the District Attorney's office will make a phone call or write a letter to the owner, but they have not been asked to do this for a long time.

The District Attorney's office does not have authority to take any action unless the case is referred to them by HCD or another public agency. One of the problems is that there is only one HCD inspector for three counties, so only the most egregious complaints are inspected due to lack of resources and funding of the HCD. The HCD inspects complaints from residents as well as park owners. For example, in order for a park owner to say that a coach is not up to standards and needs to be replaced or moved out, HCD must first inspect the coach. The District Attorney's office is not a police agency and does not go out and do inspections. An example of how issues are handled is if there is an issue regarding animal control in the park, the residents should contact the animal control department; in turn the animal control department may go out to the property, inspect, and require the park owner to comply with the law. If the park owner does not comply, then animal control may contact the DA's office and then the DA's Office can contact the park owner. However, the District Attorney's office does not get involved in individual events, only in very widespread problems.

Supervisor Beautz explained that HCD is not funded properly in order to do its job. The County cannot afford to take over the HCD duties because the County is limited by how much it can charge for inspections. The County would lose over \$150,000, which is probably the HCD's problem also; there are no resources. Commissioner Lerno agreed and stated that the HCD does not have enough money to inspect any but the most egregious problems; the HCD can only inspect about 40% of the problems reported to it.

A Smithwoods resident in the audience stated she heard a rumor that Smithwoods Park is for sale and that the owners want to sell to developers. She asked if developers can do whatever they want with the property, such as build condominiums, and what residents should do to purchase the park. Supervisor Beautz and Mr. Taylor told the resident to contact Supervisor Stone or Eric Shapiro of the County Planning Department regarding feasibility of residents purchasing the park. In addition, the County has an ordinance (County Code §13.30) which restricts conversion of mobilehome parks.

Supervisor Beautz suggested residents contact her office if they have questions. Commissioner Halterman reminded residents that they also can contact County Counsel's office for a referral to Terry Hancock at Senior Legal Services which is on contract to handle certain mobilehome park issues.

## B. Legislation

Jerry Bowles updated the Commission on the following seven bills



currently in the legislature:

AB 2104: (support) This is a clean up bill for the CARE Program. It has to do with reduction in utility bills if a resident is low income. The current process is that financial statements of the resident must go through park management. This bill allows residents to go directly to PG&E. The advantage is that residents do not have to worry about their application being ignored or the savings not being passed on to them by the park management, it makes the process of receiving a reduction faster, and also the resident's personal financial information would no longer have to be given to the park manager. To support this bill send cards and letters to the author, Sally Lieber.

AB 2106: (support) This is also a cleanup bill regarding Homeowner Association meetings remaining private so park owners, managers, or staff cannot force themselves into attendance at the meetings. They must be invited to attend the meetings.

AB 2374: (support) Umberg introduced this bill. It requires 60 days advance notice for increase in fees (not rents, but fees).

AB 1469: (support) Negrete/McCloud introduced this bill. This bill requires continuing education for park managers. New park managers must have 5 hours a year on training of mobilehome park laws, and existing park managers must have at least 3 hours of education each year. This pertains to all mobilehome parks, including ROPs (resident owned parks).

SB 1231: (support) Dunn introduced this bill. It continues the mobilehome park inspection program. Right now the law has a sunset clause in it which means that if this bill does not pass, the HCD will no longer receive funding for inspection of mobilehome parks and the current fees residents pay for this would be eliminated. Mr. Bowles testified in favor of this bill and so did mobilehome park owners; no one dissented. He explained that the HCD has a restructuring of their fee schedule. Inspection fees will increase and the HCD will have 15 more inspectors out in the field; the inspectors are currently being trained. Also, the HCD is discussing training more inspectors in the future. The fee structure will cover most of this cost. Supervisor Beautz asked for information regarding this bill to possibly put on the Board of Supervisors agenda.

AB 770: (support) Millan introduced this bill. This is regarding an ombudsperson for ROP's and all sorts of homeowner associations and has to do with establishing a pilot project to provide education, dispute resolution and data collection on CIDs (Common Interest Development). Mobilehome parks would pay a fee of about \$10 per home.

AB 2294: (oppose) Garcia introduced this bill. It would require an audit every two years for ROPs and it would divulge salaries in the ROPs. Currently financial reviews are utilized; this would require an audit which is much more expensive. It would cost about \$150/space/year for an audit. Garcia's office was asked what the purpose of this bill was, but no reason was given.

C. Commissioner Reports

Commissioner Brocklebank provided an update on what has occurred as a result of the letter written and sent by Senior Legal Services regarding various issues and problems at the Yacht Harbor Mobilehome Park. The owners sent a representative to meet and consult with the residents, and most of the responses from the owner to the issues presented in the letter were: management believes it has met its obligation; no comment; that is an ongoing project. Although some of the items listed in the letter have been repaired, many have not been repaired or addressed adequately. The residents have not yet decided what course of action they would like to take.

Commissioner Crowther reported that there was no news on her park, Monterey Vista Park in Watsonville. As of March 8, all documents had been submitted to the judge and they are awaiting his decision. The defendant's attorney asked for another hearing, but the judge's decision has not yet been made.

**III. CORRESPONDENCE**

Commissioner Halterman reported that County Counsel wrote the attached letter dated March 7, 2006, to the owners of Smithwoods Park regarding issues brought before the Commission in December 2005. Added on to the agenda was the park owner's response.

**IV. COMMUNITY INPUT**

No additional community input was given.

**V. ADJOURNMENT**

The meeting was adjourned at 10:43 A.M. The next meeting will be April 27, 2006.

Respectfully submitted,

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Lee Ann Shenkman, Staff Secretary  
To the Mobilehome Commission

Approved 4/27/06:\_\_\_\_\_

**MOBILEHOME COMMISSION MEETING**  
**ELENA BASKIN LIVE OAK SENIOR CENTER**  
**1777 CAPITOLA ROAD, SANTA CRUZ, CALIFORNIA 95062**

**April 27, 2006**  
**9:30 A.M.**

- I. CALL TO ORDER/ROLL CALL/APPROVAL OF MARCH MINUTES /  
AGENDA ADDITIONS.
- II. BUSINESS
  - a. Commissioner Reports
  - b. Legislation
- III. CORRESPONDENCE
  - a. Letter of Appreciation to Douglas Lamb
  - b. Opal Cliffs Mobilehome Park, General Rent Adjustment Hearing, Decision  
of Hearing Officer
- IV. COMMUNITY INPUT
- V. ADJOURNMENT

**The next Mobilehome Commission meeting will be May 25, 2006**

For further information, please contact Lee Ann at the Office of the County Counsel,  
454-2040.

As a courtesy to those persons affected, please attend the meeting smoke and scent free. Please turn off cell  
phones.

Mobilehome Commission By-Laws, Paragraph 7, Agenda states: Public participation in Commission  
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meeting agenda.

# **MINUTES**

## **MOBILEHOME COMMISSION MEETING**

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**April 27, 2006**

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

**COMMISSIONERS PRESENT:** Jean Brocklebank  
Mary Louise Crowther  
Rick Halterman  
Ruth Hunter  
Bonnie Lund

**COMMISSIONERS ABSENT:** Carol Lerno

**BOARD OF SUPERVISORS  
REPRESENTATIVE:** Jan Beautz

**COUNTY COUNSEL:** Absent

**SECRETARY:** Lee Ann Shenkman

**GUESTS:** Jerry L. Bowles

Chair Rick Halterman called the meeting to order at 9:30 a.m. There were 6 people in the audience. The minutes of the March 23, 2006, meeting were reviewed and upon motion of Commissioner Crowther, seconded by Commissioner Lund, the March 23, 2006, minutes were approved.

#### **I. ADDITIONS AND DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda.

#### **II. BUSINESS**

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

Commissioner Hunter said that DeAnza Mobilehome Park is still under the cloud of arbitration. The judge walked around the park to see the properties.

Commissioner Brocklebank said that Yacht Harbor Manor has filed a petition for a hearing under the rent control ordinance. Ed Newman was assigned as the hearing officer. Mr. Newman sent a letter stating that he had previously represented one of the park owners in another case and had also represented Waterhouse Management Corporation in another rent control case.

He said he has no memory of these cases. Yacht Harbor Manor has until Friday to reject Mr. Newman as the hearing officer. Yacht Harbor Manor has not yet decided what to do. The hearing is tentatively set for May 31, 2006. There will be a prehearing conference first to try to work it out.

Commissioner Crowther updated the Commission on her park's status regarding the resident purchase. The judge wants another hearing for more evidence. A hearing date has not yet been set.

Commissioner Halterman updated the Commission on three issues: (1) there should be a decision soon regarding the suit against the City of Capitola which he previously mentioned at a meeting a few months ago. He had a meeting at the beginning of April with the City Attorney who said the decision should be handed down anytime after June 10, 2006; (2) also mentioned at a previous meeting was a dispute between Cabrillo residents and the park owner where Cabrillo residents were asking for a reduction in rent based on a reduction in service. It looked like they had worked out a deal but when the paperwork went to the park owner he allegedly refused to sign. This dispute involves two issues (a) the park owner allegedly won't allow the residents to use the clubhouse on and off, and (b) the cable was not upgraded because the park owner allegedly won't let the cable company come in to perform the upgrade. The residents have been paying for the upgrade, though, for the last 5 years. (3) The last issue is regarding eminent domain as outlined in "Eminent Domain Initiatives Threaten Mobilehome Rent Control" by Maurice Priest (handout). There are 3 initiatives. Commissioner Halterman contacted a group called CA Alliance to Protect Private Property Rights. They said that #1187 (the Jarvis initiative) would most likely not go forward; people like the other two initiatives (1198 & 1202) better. The way the New London case was decided the property could be condemned for private use because the New London case said all that is needed is a legitimate public purpose. In the New London case the legitimate purpose was to raise tax revenue and create employment. The second two proposals appear to fly in the face of the Supreme Court decision. It appears that Bill 1202 is probably the most likely one that will be pushed the hardest.

Mr. Bowles stated that if you want to keep updated on these initiatives, the website is on the bottom of the handout  
[www.ss.ca.gov/elections/elections\\_j.htm](http://www.ss.ca.gov/elections/elections_j.htm).

Commissioner Lund will not be at the next meeting.

## B. Legislation

Jerry Bowles updated the Commission on the following seven bills currently in the legislature:

AB 2104: (support) This bill allows residents to go directly to PG&E. The advantage is that the resident's personal financial information would no longer have to be given to the park manager. Also, currently some parks are not passing the reduction on to the residents.

AB 2106: (support) The hearing on this bill will be May 10, 2006 in the Assembly Housing and Community Development Committee. This bill is opposed by a group of park owners (CA Mobilehome Park Owners Alliance, CMPA). The WMA also opposes it but they want only minor changes made to it; otherwise they are okay with it.

AB 2374: (support) The hearing on this bill will be May 10, 2006 in the Assembly Housing and Community Development Committee. There is no opposition to this bill.

AB 1469: (support) This bill passed the Assembly by a vote of 42 to 35. It will be heard by the Senate Transportation and Housing Committee, but no hearing date has been set.

SB 1231: (support) This bill is in the Senate for a second reading and will be heard today, then it will go to a third reading. Next it will go to the Assembly. There is no opposition to this bill. WMA is in support of this bill. For some reason, this bill passed both houses last year with support from WMA and homeowners' associations but the governor vetoed it. We do not know why he vetoed it.

AB 770: (support) There was a hearing on April 20, 2006; it will be reheard when they reschedule another hearing. The date has not yet been set.

AB 2294: (oppose) The hearing on this bill will be May 10, 2006 in the Assembly Housing and Community Development Committee. The purpose of this bill is unknown. The author's office (Garcia) did not respond to inquiries as to the purpose of the bill.

### **III. CORRESPONDENCE**

Commissioner Halterman commented that Commissioner Douglas Lamb resigned as a member of the Commission.

Commissioner Brocklebank commented that the case of Opal Cliffs Mobilehome Park's general rent adjustment ended in a pre-hearing conference rather than having to go to a hearing. The issue was maintenance (slurry seal on a road).

Commissioner Crowther's park issued the 90-day notice of increase, effective June 1, by putting the notification on the bottom of their bill. She questioned whether or not this was enough of a notice to the residents. The former owner used to send out a separate notice of increase. Commissioner Lund pointed out that the answer may be in Civil Code Section 798.30.

The Commission discussed a Government Code section which concerns how income level may affect how much rent an ROP can charge to a resident renter. Commissioner Halterman believes that the state law says if your income is moderate or above, you may go to market rate; if you are low or very low income, you may remain under rent control. He clarified that his understanding of the state law is that in ROPs in the

County of Santa Cruz, those spaces that stay renters, rather than buying into the co-op, may have to submit their income for review by some entity and depending upon their income level may have their space rent increased over a 3 year period. Commissioner Halterman will try to bring the law to the next meeting.

#### **IV. COMMUNITY INPUT**

A member of the audience questioned whether a long-standing vacant mobilehome should be counted as a unit for purposes of fee calculation. Commission members explained that it is the space that is looked at when calculating fees, not whether or not the unit is vacant.

The same resident had a question regarding park management sending seven day notices out to some residents and not to other residents regarding minor rule violations rather than having a meeting with the affected residents. Commissioner Brocklebank recommended that he ask to have a meet and confer with the park owner or their representative under the mobilehome residency law.

#### **V. ADJOURNMENT**

The meeting was adjourned at 10:30 A.M. The next meeting will be May 25, 2006.

Respectfully submitted,

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Lee Ann Shenkman, Staff Secretary  
To the Mobilehome Commission

Approved 5/25/06: \_\_\_\_\_

**MOBILEHOME COMMISSION MEETING**  
**ELENA BASKIN LIVE OAK SENIOR CENTER**  
**1777 CAPITOLA ROAD, SANTA CRUZ, CALIFORNIA 95062**

**May 25, 2006**  
**9:30 A.M.**

**I. CALL TO ORDER/ROLL CALL/APPROVAL OF APRIL MINUTES/  
AGENDA ADDITIONS.**

**II. BUSINESS**

- a. Commissioner Reports
- b. Legislation

**III. CORRESPONDENCE**

- a. Letter to Capitola City Council Member Stephanie Harlan
- b. Letter from Benjamin Henderson Requesting Assistance in Obtaining Housing and Response from Commission

**IV. COMMUNITY INPUT**

**V. ADJOURNMENT**

**The next Mobilehome Commission meeting will be June 22, 2006**

For further information, please contact Lee Ann at the Office of the County Counsel, 454-2040.

As a courtesy to those persons affected, please attend the meeting smoke and scent free. Please turn off cell phones.

Mobilehome Commission By-Laws, Paragraph 7, Agenda states: Public participation in Commission meetings shall be allowed as follows:

1. An opportunity for members of the public to directly address the Commission on any item on the agenda of interest to the public shall be provided before or during the Commission's consideration of the item.
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**MOBILEHOME COMMISSION MEETING**  
**ELENA BASKIN LIVE OAK SENIOR CENTER**  
**1777 CAPITOLA ROAD, SANTA CRUZ, CALIFORNIA 95062**

**June 22, 2006**  
**9:30 A.M.**

- I. CALL TO ORDER/ROLL CALL/APPROVAL OF APRIL MINUTES / AGENDA ADDITIONS.
- II. BUSINESS
  - a. Commissioner Reports
  - b. Legislation
  - c. Election of chair and co-chair
  - d. Government Code Section 66427.5 (Subdivision created by conversion of rental mobilehome park to resident ownerships; nonpurchasing residents; avoidance of economic displacement)
  - e. Discussion of: (a) park owners' July 1, 2006, last day to submit data and supporting documents on reasonable rate of return on capital improvements, and (b) date of public hearing on reasonable rate of return in accordance with Santa Cruz County Code Section 13.32.092
  - f. Discussion of whether the Mobilehome Commission shall hold its meetings when a quorum is not present
- III. CORRESPONDENCE
  - a. Letter to Capitola City Council Member Stephanie Harlan
  - b. Letter from Benjamin Henderson Requesting Assistance in Obtaining Housing and Response from Commission
- IV. COMMUNITY INPUT
  - a. Information Available on the HCD Website: [www.hcd.ca.gov/codes/mp](http://www.hcd.ca.gov/codes/mp)
    - 1. Mobilehome Park Inspection Resident Information Booklet
    - 2. Mobilehome Park Inspection Operator Information Booklet
- V. ADJOURNMENT

**The next Mobilehome Commission meeting will be July 27, 2006**

For further information, please contact Lee Ann at the Office of the County Counsel, 454-2040.

As a courtesy to those persons affected, please attend the meeting smoke and scent free. Please turn off cell phones.

Mobilehome Commission By-Laws, Paragraph 7, Agenda states: Public participation in Commission meetings shall be allowed as follows:

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# **MINUTES**

## **MOBILEHOME COMMISSION MEETING**

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**June 22, 2006**

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

**COMMISSIONERS PRESENT:** Jean Brocklebank  
Mary Louise Crowther  
Rick Halterman  
Ruth Hunter  
Carol Lerno  
Bonnie Lund

**COMMISSIONERS ABSENT:** None

**BOARD OF SUPERVISORS  
REPRESENTATIVE:** Dave Reetz

**COUNTY COUNSEL:** Absent

**SECRETARY:** Lee Ann Shenkman

**GUESTS:** Jerry L. Bowles  
Capitola City Council Member Stephanie Harlan

Chair Rick Halterman called the meeting to order at 9:30 a.m. There were 6 people in the audience. The minutes of the April 27, 2006, meeting were reviewed and upon motion of Commissioner Brocklebank, seconded by Commissioner Hunter, the April 27, 2006, minutes were approved.

#### **I. ADDITIONS AND DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda.

#### **II. BUSINESS**

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

Commissioner Brocklebank conducted a walk-through of Blue Pacific Mobilehome Park with a resident and explained to residents to whom specific types of problems should be referred. Also, an update on Yacht Harbor Manor is that they had a pre-hearing conference at which Ed Newman was the hearing officer who helped both parties negotiate and communicate with each other. The parties stipulated that the manager's residence must be included when calculating pass through costs for each residence. Management of the park will go back and recalculate for June 1<sup>st</sup> increases. Also, the conference resolved questions regarding the method for costing pass-throughs.

Commissioner Hunter: Report on De Anza Park. The arbitration was put off again. The new homes put in by management which rent for \$4,000 to \$5,000 a month are not selling.

Commissioner Crowther: A tentative date has been set with the judge to hear more evidence.

Commissioner Lerno: ROP information – 3 parks are looking into parcelization (subdividing the park into individual parcels); this brings up a property tax issue. Parcelization adds individual APN numbers for each parcel and therefore individual tax bills. Jerry Bowles stated that there are two kinds of subdivisions: PUD (planned unit development) or condominium subdivisions; banks look more favorably on the PUD subdivisions because they do not understand the condominium subdivision in a mobilehome park.

Commissioner Halterman: Decision upholding rent control in Capitola was reversed by the appellate court; the city won on everything except the park owner is entitled to reargue his taking claims. The decision was based more on a technicality, but the City won on the serious legal questions.

Commissioner Hunter will not be at the July meeting and Commissioner Halterman believes he, too, will not be able to attend the July meeting. Commissioners Crowther, Lund, Brocklebank and Lerno will be in attendance at the Commission meeting in July, therefore, a quorum is anticipated.

#### B. Legislation

Jerry Bowles updated the Commission on the following bills currently in the legislature:

SB 1231: (Dunn) This bill removes the sunset clause on mobilehome park inspections. It is set for a Housing and Community Development hearing on June 26<sup>th</sup>.

SB 1496: (Dunn) This bill is to enforce the public utilities code; it will be on the Assembly floor next week.

AB 1469: There is a hearing on this bill next Wednesday, June 27<sup>th</sup>; this bill requires park manager training beginning in 2008. The instruction is to include, but is not limited to, lease and rental agreements, ethics, lawful retainers, adoption of rules and regulations, etc. The fee for administration of this would be \$500 per park; it is unknown if the cost of the training can be passed on to the renters. The bill requires one-time training for each new manager and 1-2 hours every 3 years.

AB 2106: This bill was refused passage on a 31 to 40 vote and is dead for at least one year unless there is reconsideration. This bill was opposed by a group of park owners (CA Mobilehome Park Owners Alliance, CMPA). The WMA also opposed it but they wanted only minor changes made to it; otherwise they were okay with it.

AB 2562: This bill expands the Subdivision Map Act which concerns conversion to resident owned parks; passage refused by a 38-40 vote. This bill is now dead.

AB 2250: This bill is on for hearing next week. Last year there was a bill that went all the way up to the governor, supported by both houses, but he vetoed it. This

has the same substance as last year's bill.

Commissioner Lerno suggested that a letter from the Board of Supervisors be written to Senator Dunn thanking him for his service in the State Senate and supporting mobilehome legislation. Commissioner Brocklebank requested that a draft of the letter be placed on the Commission's July agenda.

C. Election of Chair and Co-Chair

Upon motion of Commissioner Brocklebank, seconded by Commissioner Lund, Commissioner Lerno was nominated and elected as the Chair of the Mobilehome Commission beginning July 1, 2006.

Upon motion of Commissioner Hunter, seconded by Commissioner Crowther, Commissioner Brocklebank was nominated and elected as the Co-Chair of the Mobilehome Commission beginning July 1, 2006.

D. Government Code Section 66427.5

Commissioner Halterman: The most important part of this section is that it is in the Subdivision Act. Commissioner Halterman called MPROP and it is his understanding that their policy is that if a park wants MPROP money, then lower income residents will still be protected. Commissioner Halterman understands that if the park is parcelized then there is rent control under this code; if the ROP is not parcelized then the park is not under rent control anymore.

Discussion followed as to whether or not the County rent control ordinance still applies to ROPs (regardless if the ROP is subdivided). The Commission requests a written opinion from County Counsel on whether rent control applies to ROPs.

E. Discussion of Reasonable Rate of Return on Capital Improvements and Public Hearing

The Commission will hold a public hearing at next month's meeting regarding the reasonable rate of return on capital improvements and the Commission will need a quorum at that meeting in order to make a recommendation to the Board.

F. Quorum

Commissioner Brocklebank: Requested that the quorum issue be placed on the agenda and expressed that the Commission Bylaws do not keep the Commission from having a meeting if there is no quorum; this Commission is different because this Commission provides information for the public and rarely votes on anything; recommends the Commission meet regardless of whether or not there is a quorum; this Commission is a resource of information and education for residents.

Commissioner Lerno: The Commission's purpose is to make recommendations on policies and rules to the Board of Supervisors.

Commissioner Halterman: If the Commission wants to meet informally even if there is not a quorum, then the decision as to whether or not a commission member comes to the meeting should be up to the individual person; he questioned the appropriateness of the staff secretary to attend the meeting if there is no quorum.

Dave Reetz: It would be inappropriate for the staff secretary to come and take minutes at the meeting if there is no quorum.

Commissioner Brocklebank: The Bylaws do not stipulate that there is no meeting if there is no quorum and until we amend the bylaws we need to abide by them; it is not a hardship to have a meeting where there is no quorum. Commissioner Brocklebank made a motion that until and if the bylaws are amended the Commission continue to have the monthly meeting regardless of a quorum; Commissioner Hunter seconded the motion for discussion purposes. Dave Reetz: it may be best to ask this question legally because it is confusing if it is a meeting or not a meeting when the quorum requirement is not met; there also may be an issue with the Brown Act. Commissioner Brocklebank amended her motion to request a legal opinion from County Counsel as to whether or not a meeting can be held without a quorum; Commissioner Hunter seconded; motion passed.

### **III. CORRESPONDENCE**

Commissioner Halterman introduced the letter to Capitola City Council Member Stephanie Harlan and the letter from Benjamin Henderson; no discussion.

### **IV. COMMUNITY INPUT**

Capitola City Council Member Harlan thanked the Commission for all of its hard work, including working with residents of Cabrillo Mobilehome Park. The residents are filing a request for decrease in rent because of a reduction in services. Hearings regarding rent control issues are heard before the City Council in Capitola. Also, Council member Harlan will be off the City Council soon.

A resident from Blue Pacific Mobilehome Park discussed closures of certain common areas, lack of access to trash and recycling bins, and other issues. He has had conversations with Michael Wade, the new inspector at HCD. Commission suggested the resident contact County Counsel for a referral to Senior Citizens' Legal Services and possibly file a petition for rent reduction due to reduction in services.

### **V. ADJOURNMENT**

The meeting was adjourned at 10:58 A.M. The next meeting will be July 27, 2006.

Respectfully submitted,

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Lee Ann Shenkman, Staff Secretary  
To the Mobilehome Commission

Approved 7/27/06: \_\_\_\_\_

**MOBILEHOME COMMISSION MEETING**  
**ELENA BASKIN LIVE OAK SENIOR CENTER**  
**1777 CAPITOLA ROAD, SANTA CRUZ, CALIFORNIA 95062**

**July 27, 2006**  
**9:30 A.M.**

**I. CALL TO ORDER/ROLL CALL/APPROVAL OF JUNE MINUTES / AGENDA ADDITIONS.**

**II. BUSINESS**

- a. Commissioner Reports
- b. Legislation
  - 1. CFR 24, Chapter 1, Subpart E: "Housing for Older Persons"
  - 2. Children & Access to Swimming Pools
- c. Discussion of the Mobilehome Commission Pamphlet: To Prospective Homeowners – Things you Should Know Before You Sign
- d. Public Hearing on Reasonable Rate of Return on Capital Improvements (Santa Cruz County Code Section 13.32.092) and Annual Recommendation to Board of Supervisors
- e. Proposed Letter of Appreciation from the Commission to Senator Dunn for his Work in the Area of Mobilehome Parks
- f. Discussion of County Counsel Opinion on Meeting Without a Quorum
- g. Discussion of County Counsel Opinion on Resident Owned Parks and the County Rent Control Regulations

**III. CORRESPONDENCE**

None

**IV. COMMUNITY INPUT**

**V. ADJOURNMENT**

**The next Mobilehome Commission meeting will be August 24, 2006**

For further information, please contact Lee Ann at the Office of the County Counsel, 454-2040.

As a courtesy to those persons affected, please attend the meeting smoke and scent free. Please turn off cell phones.

Mobilehome Commission By-Laws, Paragraph 7, Agenda states: Public participation in Commission meetings shall be allowed as follows:

- 1. An opportunity for members of the public to directly address the Commission on any item on the agenda of interest to the public shall be provided before or during the Commission's consideration of the item.
- 2. In addition, the agenda will provide for community oral communication on the items not on the agenda, which are within the subject matter jurisdiction of the Commission at the end of each regular meeting agenda.

# **MINUTES**

## **MOBILEHOME COMMISSION MEETING**

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**July 27, 2006**

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

**COMMISSIONERS PRESENT:** Jean Brocklebank  
Mary Louise Crowther  
Carol Lerno  
Bonnie Lund

**COMMISSIONERS ABSENT:** Rick Halterman  
Ruth Hunter

**BOARD OF SUPERVISORS  
REPRESENTATIVE:** Jan Beautz

**COUNTY COUNSEL:** Marie Costa

**SECRETARY:** Lee Ann Shenkman

**GUESTS:** Jerry L. Bowles

Chair Carol Lerno called the meeting to order at 9:30 a.m. There were 6 people in the audience. The minutes of the June 22, 2006, meeting were reviewed and upon motion of Commissioner Crowther, seconded by Commissioner Brocklebank, the June 22, 2006, minutes were approved with the following addition: under "Commissioner Reports," the report by Commissioner Crowther should include the park name as follows, "A tentative date has been set with the judge to hear more evidence, regarding Monterey Vista Mobile Estates litigation."

#### **I. ADDITIONS AND DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda.

#### **II. BUSINESS**

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

Commissioner Crowther: Monterey Vista Mobile Estates had the preliminary hearing to the evidentiary hearing and now have a date set for October 10, 2006. This should be the final hearing and the decision should be final at that time. The Park may be a resident owned park by the end of this year.

Commissioner Brocklebank discussed two items: (1) Yacht Harbor Manor the parties have agreed and both parties (park owners and residents) have signed a stipulation which is now with the Hearing Officer, Ed Newman. There will be a refund for June, July, and August in the amount of \$7.23 per month to be shown on the

September rent bill, and monthly rent will be reduced from that point on by \$7.23 until the following anniversary date. Commissioner Brocklebank expressed her appreciation for the County's ordinance and appeal process. (2) Commissioner Brocklebank will send to County Counsel a summary of the sale of the Palm Terrace Mobilehome Park to add to next month's agenda under the correspondence section for information only.

Commissioner Lund: There is nothing to report this month, other than she will not be at the August Mobilehome Commission meeting.

Commissioner Lerno: There is nothing to report this month.

B. Legislation

Jerry Bowles provided an update on the following bills, and reminded the Commissioners that the legislators are on recess until the 7<sup>th</sup> of next month. There are two bills for which GSMOL is asking individuals to send letters of support to the Governor (he probably won't get the bills until sometime in September). Mr. Bowles will supply a sample letter.

AB 1469: This is the bill which requires park manager training beginning in 2008. GSMOL has asked us to write as individuals to the Governor. It would also be helpful to have a letter come from this Commission and the County Board of Supervisors. The letters should state why it is important that Park Managers are trained (e.g., fire safety). Commissioner Brocklebank made a motion that the Mobilehome Commission sign and send a letter of support to the Governor and send a letter to the Board of Supervisors asking them to sign a letter to the Governor in support of this bill. Commissioner Lund seconded the motion; all approved, motion passes.

SB 1231: (Dunn) This bill removes the sunset clause on mobilehome park inspections. GSMOL has also asked us to write letters as individuals in support of this bill as individuals to the Governor (he vetoed this bill last year when it had full support of the Assembly and the Senate). The letters should state why it is important to have inspections. Commissioner Brocklebank made a motion that a letter be signed by and sent to the governor from the Mobilehome Commission and a second letter from the Commission to the Board of Supervisors asking them to sign and send a letter. Commissioner Lund seconded the motion; all approved, motion passes.

Commissioner Brocklebank made a motion that Chair Lerno should sign the letters of support for AB 1469 and SB 1231 prior to the next Mobilehome Commission meeting. Commissioner Lund seconded; all approved; motion carries.

Mr. Bowles stated that Proposition 90 could be an open challenge to rent control in California if the proposition goes through as it is currently written. The proposition talks about the protection of the owners right to land, not the taking. This comes out of litigation regarding eminent domain from back East. SB 90 leaves subtle loopholes which could be a challenge to rent control. The discussions and rebuttals to this proposition can be seen online at [www.ss.ca.gov/elections](http://www.ss.ca.gov/elections).

Commissioner Brocklebank requested that Proposition 90 be placed on the Mobilehome Commission Agenda next month to discuss it further and to discuss possibly informing the Board of Supervisors of the importance of opposing this initiative regarding rent control. Commissioner Brocklebank's understanding is that other local governments are concerned about this proposition, too, in terms of what they may or



may not do in redevelopment and the environmental community throughout the state is opposed to this because of what it may do inside of greenbelts. Possibly the Commission can request the Board of Supervisors write a resolution.

The "CFR 24, Chapter 1, Subpart E: "Housing for Older Persons" and Children & Access to Swimming Pools" were handouts only. There was no discussion regarding this information.

C. Mobilehome Commission Pamphlet: To Prospective Homeowners – Things You Should Know Before You Sign

Chair Lerno requested that this item be held over until the next meeting to be continued for discussion purposes when Capitola City Council Member, Stephanie Harlan, is present. Council Member Harlan was unable to attend this morning's Mobilehome Commission meeting.

D. Public Hearing On Reasonable Rate of Return on Capital Improvements, Pursuant to Santa Cruz County Code Section 13.32.092.

Public Hearing was opened at 9:58 A.M. Comments from the public were taken. The Public Hearing was closed at 10:16 A.M. Commissioner Brocklebank made a motion that the Mobilehome Commission send a letter to the Board of Supervisors recommending that for this coming year the 12% reasonable rate of return be retained; Commissioner Crowther seconded. Commissioner Brocklebank opened the discussion. All approved, motion carries.

E. Letter of Appreciation from the Commission to Senator Dunn for his Work in the Area of Mobilehome Parks

Commissioner Crowther made a motion that Chair Lerno sign the proposed letter to Senator Dunn for mailing. Commissioner Lund seconded; all in favor; motion carries.

F. County Counsel's Opinion on Meeting Without a Quorum

Commissioner Brocklebank is happy to abide by County Counsel's opinion that Mobilehome Commission meetings without quorums are adjourned. If it is known before the meeting that there will not be a quorum, the Staff Secretary will contact the Commissioners and send out notification of adjournment. If it is not known that there is not a quorum until the day of the Commission meeting, then the meeting will be adjourned at the scheduled time of the start of the meeting.

G. Rent Control and Resident Owned Parks – County Counsel Opinion

There was discussion covering different topics including resident owned parks and when the County's rent control ordinance applies and when it does not, entry fees, purchase of shares in the park, and the Davis Sterling Act. Jerry Bowles stated that there are about 14 different methods of park ownership in California, and in Santa Cruz County we have 5 of them. Mr. Bowles and Commissioner Lerno may bring this back next month for further discussion, but at this point there is nothing further needed from County Counsel on this issue.

### III. CORRESPONDENCE

None

#### **IV. COMMUNITY INPUT**

A resident from Meadow Manor Mobilehome Park in the City of Watsonville brought forth problems in her park. Since it is in the City of Watsonville, not in the unincorporated area of the County, the Commissioners informed her that the County's rent control ordinance does not apply to her park, however she has several avenues in which to address her park's issues, such as: contacting her City Council Representative, the City of Watsonville, the Senior Citizens Legal Services program, the County health department, and becoming familiar with Title 25 of the California Health and Safety Code.

A resident from Blue Pacific Mobilehome Park updated the Commission that park residents have met with Terry Hancock and they will be deciding whether or not to go forward with Senior Legal Services representation.

Commissioner Lerno requested to add to the next meeting agenda an opinion from County Counsel as to whether or not park owners have the right to tell new potential renters that the park owners are planning on changing the use of the park to a commercial use. Supervisor Beautz stated that she believes this would also be considered an unfair business practice.

#### **V. ADJOURNMENT**

The meeting was adjourned at 11:10 A.M. The next meeting will be August 24, 2006.

Respectfully submitted,

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Lee Ann Shenkman, Staff Secretary  
To the Mobilehome Commission

Approved 8/24/06: \_\_\_\_\_

**MOBILEHOME COMMISSION MEETING**  
**ELENA BASKIN LIVE OAK SENIOR CENTER**  
**1777 CAPITOLA ROAD, SANTA CRUZ, CALIFORNIA 95062**

**August 24, 2006**  
**9:30 A.M.**

**I. CALL TO ORDER/ROLL CALL/APPROVAL OF JULY MINUTES / AGENDA ADDITIONS.**

**II. BUSINESS**

- a. Commissioner Reports
- b. Legislation
  - 1. Proposition 90
- c. Discussion of the Mobilehome Commission Pamphlet: To Prospective Homeowners – Things you Should Know Before You Sign
- d. County Counsel Report

**III. CORRESPONDENCE**

- a. Email from Jean Brocklebank Regarding Palm Terrace Residents Purchase MH Park
- b. Letter from the Mobilehome Commission to the Santa Cruz County Board of Supervisors Requesting Support for AB 1469 and SB 1231
- c. Letter to the Board of Supervisors Recommending Reasonable Rate of Return for Qualified Mobilehome Park Capital Improvements Remain at 12%

**IV. COMMUNITY INPUT**

**V. ADJOURNMENT**

**The next Mobilehome Commission meeting will be September 28, 2006**

For further information, please contact Lee Ann at the Office of the County Counsel, 454-2040.

As a courtesy to those persons affected, please attend the meeting smoke and scent free. Please turn off cell phones.

Mobilehome Commission By-Laws, Paragraph 7, Agenda states: Public participation in Commission meetings shall be allowed as follows:

- 1. An opportunity for members of the public to directly address the Commission on any item on the agenda of interest to the public shall be provided before or during the Commission's consideration of the item.
- 2. In addition, the agenda will provide for community oral communication on the items not on the agenda, which are within the subject matter jurisdiction of the Commission at the end of each regular meeting agenda.

# **MINUTES**

## **MOBILEHOME COMMISSION MEETING**

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**August 24, 2006**

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

**COMMISSIONERS PRESENT:** Jean Brocklebank  
Rick Halterman  
Ruth Hunter  
Carol Lerno

**COMMISSIONERS ABSENT:** Mary Louise Crowther  
Bonnie Lund

**BOARD OF SUPERVISORS  
REPRESENTATIVE:** Jan Beautz

**COUNTY COUNSEL:** Marie Costa

**SECRETARY:** Lee Ann Shenkman

**GUESTS:** Jerry L. Bowles

Chair Carol Lerno called the meeting to order at 9:30 a.m. There were 7 people in the audience. The minutes of the July 27, 2006, meeting were reviewed and upon motion of Commissioner Brocklebank, seconded by Commissioner Hunter, the July 27, 2006, minutes were approved.

#### **I. ADDITIONS AND DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda.

#### **II. BUSINESS**

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

Commissioner Brocklebank brought a copy of the stipulation signed by the residents and owners of Yacht Harbor Manor so that anyone who is interested may read it. Commissioner Brocklebank requested that the County's parking regulation be added to next month's Mobilehome Commission agenda. She will contact County Counsel with more information regarding this item.

Commissioner Hunter discussed the arbitration decision on the rental fees for new buyers in De Anza Mobilehome Park. Around August 5, 2006, the arbitrator, Judge Lynch, found in favor of MAC (the owners of the park); therefore, when there is a change in ownership of a mobilehome, MAC may ask for any rent they think is appropriate. This makes it hard to sell a coach in the park because the rent immediately goes up with a new occupant. County Counsel suggested that Commissioner Hunter contact Terry Hancock of Senior Legal Services for legal advice to see if an appeal can be filed. Commissioner Halterman suggested that she talk to Mr. Hancock about the possibility of suing the City of Santa Cruz for abrogating the contracts it had

previously signed with renters. He also suggested contacting John Barisone's office for possible legal advice and to make sure he is aware of what is happening.

Commissioner Halterman provided updates on the rent reduction hearing at Cabrillo Mobilehome Park. The cable company was never allowed to come in to the park but the residents have been paying for cable service. There will be a hearing on this, which may be seen on Channel 8 (in Capitola) and public access channels on the second or fourth Thursday of September. Commissioner Halterman further updated the Commission regarding the last two lawsuits left; one is a state suit. In that one, the City had won and most of it was upheld on appeal. Unfortunately, one part was not upheld and it is going back to the trial court to be reheard. The City will probably win again but it is costing the City more money to retry it. The second issue is the Federal suit, which will be put off indefinitely until the state suit is resolved. Therefore, it will probably be about 2-3 years of litigation. The final update is that 8 people are running for Capitola City Council, including one of the Planning Commissioners.

Commissioner Lerno requested that next month's Mobilehome Commission agenda include a discussion on sales tax on mobilehomes. She will call County Counsel with more information on this item. Also, she has been contacted by about four mobilehome parks regarding parcelization.

#### B. Legislation

Jerry Bowles provided an update on the following bills.

SB 1231: (Dunn) This bill removes the sunset clause on mobilehome park inspections. This bill is being read today for the third time. Once it is read it can go to the Governor's office.

AB 2250: This is a parallel bill regarding the sunset clause on inspections and is already enrolled and on its way to the Governor's office.

AB 1469: This is the bill which requires park manager training beginning in 2008. It is in concurrent committees to be heard today.

SB 2106: This bill is regarding prohibiting parker owners and managers or their agents from attending homeowner's association meetings unless invited; failed passage, but reconsideration was granted, so it may move in the next week.

AB 2374 (Umberg): This bill requires parks to give 60 day notice of fees (not rents) going up; if owners are given 60 days notice then they need to give 60 days notice to renters; if they have lesser notice they are allowed to bypass that part of the law.

AB 1203: This bill has to do with mobilehome sales and installation regarding disbursement of funds under escrow and regarding one year warranty; this has been chaptered and is law effective January 2007.

SB 1496 (Dunn): This bill has to do with the CARE Program; it is in committee and he does not know the hearing date.

AB 2104 (Lieber) This is another CARE bill which was enrolled on 8/21/06 to the Governor and has to do with people filing their CARE applications directly with the utilities rather than going through managers and owners.

It looks like Jackie Speier may head up the Senate Select Committee on Mobilehomes if they allow that committee to continue after Senator Dunn is no longer in office. It is up to the

president of the Senate to appoint a chair of the commission and whether or not to even have a commission.

AB 2712 (Megan's Law): This bill is in the Senate and is being heard for the third time but may be carried over to Monday; this takes away some of the liability on landlords.

AB 2800 (Laird): This bill is regarding discrimination in housing; enrolled this week.

AB 2587: This bill deletes the exclusion of Mobilehome and RV parks from chemical cleanup in parks for meth labs; therefore this frees up the superfunds in the state that allow the state funds to help come in and clean up some of these labs; in the Senate for third reading today.

Commissioner Halterman opened discussion of Proposition 90. Proposition 90 comes as a result of the New London case, which allowed condemning private property for another private individual. The only thing that the City of New London had to do was show that it would increase their revenues; the Supreme Court upheld that. So, now we have a very easy way for a County or City to condemn homeowner property for private development. Proposition 90 is a response to the Supreme Court decision and what it would do is differentiate between eminent domain for the more traditional things (like a school, roads, etc.) which would still be allowed, and the condemning for a private party which would no longer be allowed. Section 4B#8 of Proposition 90 is a problem because it doesn't mention eminent domain, so it provides an argument for park owners.

Supervisor Beautz commented that this proposition is not benign. It could potentially have a huge impact on local government.

Brocklebank stated that the environmental community is against this Proposition for many reasons and they have already started a campaign against it.

Commissioner Halterman made a motion that the Mobilehome Commission write a letter to the Board of Supervisors asking that the Board oppose Proposition 90; seconded by Commissioner Hunter.

Commissioner Brocklebank amended the motion to have the letter written, available, and signed prior to the September Commission meeting; seconded by Commissioner Halterman. All approved.

C. Pamphlet.

Capitola City Council member Stephanie Harlan asked that this be put on the agenda to discuss its distribution, however, she will not be available to attend the Mobilehome Commission meeting for another month or two. Commissioner Lerno will bring several pamphlets to the Board of Realtors meeting and give it to the Director for distribution; therefore, this item need not be continued to the next Mobilehome Commission meeting.

D. County Counsel Report

1. County counsel was asked whether the management of an age restricted park has the ability to deny residence to potential purchasers, if one person in the couple is less than the required age of 62 years. County Counsel responded that it is legal for a park to have a rule that residents must be 62 years or older, but in order to answer questions related to age restricted parks, more specific information is necessary, i.e., are all residents of the park 62 years and older, are there significant facilities and services for seniors in the park and is the park specifically

designed and operated to benefit a senior population. (Schmidt v. Superior Court (1989) 48 Cal.3d 370; Civil Code Section 798.76; and Federal Fair Housing law.)

2. County Counsel was asked if it is legal for a park owner to tell prospective mobilehome purchasers that he will be converting the park into a commercial use in the future. The park owner may inform prospective purchasers unless it is a fraud. County Counsel spoke with Morgan Taylor of the Consumer Fraud division of the District Attorney's Office. The D.A.'s office could look into these allegations, but before they could do so they would need further information. Commissioner Halterman will provide County Counsel with further information toward the end of September or October.

3. County Counsel was asked to research if it is legal for an ROP to charge a \$7,000 entry or transfer fee to new purchasers. County Counsel researched this issue and also spoke with John Tennyson of Senator Dunn's office who stated that if the park is under the Davis-Stirling Act (the certification must be on record with the County to be under this Act), then the Park cannot charge an entry or transfer fee. If the Park is not under the Davis-Stirling Act, then the Park By-Laws govern. If the By-Laws are silent, then the Park may be able to charge the entry or transfer fee. Jerry Bowles informed the Commission that the Davis-Stirling Act is a homeowner's association act that deals with condominiums, subdivisions, PUDs, and shared co-ops.

### **III. CORRESPONDENCE**

Commissioner Lerno introduced the following letters with no follow-up discussion: e-mail from Jean Brocklebank regarding Palm Terrace residents purchase of mobilehome park, letter from the Mobilehome Commission to the Santa Cruz County Board of Supervisors requesting support for AB 1469 and SB 1231, and a letter to the Board of Supervisors recommending reasonable rate of return for qualified mobilehome park capital improvements to remain at 12%.

### **IV. COMMUNITY INPUT**

A resident of Rodeo Estates, informed the Commission that a Vice President of GSMOL will be at her park on October 7<sup>th</sup> to explain Proposition 90 to the residents and why they should not vote in favor of it. Commissioner Brocklebank asked the resident to include something in the September Mobilehome Commission agenda regarding this. Commissioner Halterman stated that it may be possible to obtain Capitola City Hall at no cost to hold the meeting if he is given enough notice to reserve it. The resident of Rodeo Estates and Commissioner Halterman will work together. Supervisor Beautz suggested that at some point a couple of park residents may want to speak at the Board of Supervisors meeting about this Proposition.

Jerry Bowles informed the Commission that GSMOL Board last week voted to support a statewide coalition to oppose Proposition 90.

A resident from Blue Pacific Mobilehome Park updated the Commission that park residents are proceeding with a rent adjustment hearing, but it is on hold right now while they await inspections.

### **V. ADJOURNMENT**

The meeting was adjourned at 10:51 A.M. The next meeting will be September 28, 2006.

Respectfully submitted,

Lee Ann Shenkman, Staff Secretary, Mobilehome Commission

Approved 9/28/06: \_\_\_\_\_



**MINUTES**  
**MOBILEHOME COMMISSION MEETING**

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**September 28, 2006**

**Elena Baskin Live Oak Senior Center**

**COMMISSIONERS PRESENT:** Jean Brocklebank  
Henry Cleveland  
Mary Louise Crowther  
Rick Halterman  
Ruth Hunter  
Carol Lerno  
Bonnie Lund

**COMMISSIONERS ABSENT:** None

**BOARD OF SUPERVISORS  
REPRESENTATIVE:** Jan Beautz

**COUNTY COUNSEL:** Marie Costa

**SECRETARY:** Lee Ann Shenkman

**GUESTS:** Jerry L. Bowles  
Melissa Thuringer, Santa Cruz Title Company

Chair Carol Lerno called the meeting to order at 9:30 a.m. There were 3 people in the audience. The minutes of the August 24, 2006, meeting were reviewed and upon motion of Commissioner Hunter, seconded by Commissioner Halterman, the August 24, 2006, minutes were approved with the following change: under "Commissioner Reports," the report by Commissioner Brocklebank should include the underlined addition to the statement, "Commissioner Brocklebank brought a copy of the stipulation signed by the residents and owners of Yacht Harbor Manor in re: the settlement of the appeal of the June 1, 2006 rent adjustment so that anyone who is interested may read it."

**I. ADDITIONS AND DELETIONS TO THE AGENDA**

Commissioner Lerno added "Item II. e" to the agenda: a discussion regarding moving the Commission meetings to another location.

**II. BUSINESS**

**A. Commissioner Reports**

Commissioner Hunter updated the Commission on De Anza Mobilehome Park. Commissioner Halterman suggested that the park residents obtain a significant number of signatures (from the community, not just park residents) to create a new, simple, straightforward rent control initiative on the ballot. Jerry Bowles stated that one of the newest rent control ordinances in the state is Citrus Heights.

Commissioner Crowther updated the Commission on her park, Monterey Vista Mobile Estates. There is a hearing date set for October 10<sup>th</sup> which should be the final hearing.

Commissioner Halterman updated the Commission on Proposition 90. The CA Republican Party is in favor of Proposition 90. In the poll it came out slightly ahead, but only 30% of the people polled knew what Proposition 90 was. The "Yes on 90" as of 2 weeks ago had raised approximately \$2.5 million and the "No on 90" had raised \$1.5 million; this may have changed since 2 weeks ago. Under the League of Cities recommendation, Capitola City Council will not come out against Proposition 90. The League's reasoning seems to be that counties and cities might look like they are interested in protecting their power rather than protecting their constituents. The League of Cities is the biggest contributor toward the "No on 90" campaign; they gave approximately \$750,000 toward its defeat.

#### B. Legislation

Jerry Bowles updated the Commission on bills in the legislature. A total of 1,161 bills went to the Governor by the first of the month, and he currently has 619 bills left to review in the next 3 days. These include SB 1231 (park inspection program) and AB 1469 (park manager training). They've both been enrolled.

AB 2106: This bill would prohibit park owners and managers or their agents from attending homeowner's association meetings unless invited; failed passage and is dead.

AB 1203: This bill has to do with mobilehome sales/installation, disbursement of funds under escrow, and one year warranty; this has been chaptered and is law effective January 2007.

SB 286: This is an omnibus bill; enrolled.

SB 1496 (Dunn): This bill had to do with the CARE Program; this bill is dead.

AB 2104 (Lieber) This is another CARE bill; enrolled.

AB 2712 (Megan's Law): This bill takes away some liability on landlords; enrolled.

AB 2800 (Laird): This bill is regarding discrimination in housing; enrolled.

AB 2587: This bill deletes the exclusion of Mobilehome and RV parks from chemical cleanup in parks for meth labs; therefore this frees up the superfunds in the state to help clean up some of the labs; enrolled.

#### C. Sales Tax Discussion on Sales of Coaches

Melissa Thuringer, Escrow Officer at Santa Cruz Title Company, was a guest speaker who presented the sales tax issue regarding mobilehomes. As of October 1, 2006, the previous taxation was 8.25% of Kelly Blue Book retail value, or the sales price, whichever was less. Effective October 1, 2006, taxation will be based on the NADA appraisal guide, not Kelly Blue Book. This method will be used statewide. NADA is comparable to what Kelly Blue Book was retailing homes at. In the last few she has done, it is actually substantially less than the Kelly Blue Book. If the sales price is less than NADA, then the tax is based on the sales price. The use tax on mobilehomes from 1980 and older will be based off of that. Some mobilehomes that are older than 1980 pay yearly registration to the State (if they pay a yearly registration, they pay a one-time sales tax to the State). Mobilehomes that are 1980 and newer are on the tax rolls; there are personal property taxes for mobilehomes that are 1980 or newer. Personal property tax is yearly, and is implemented through the County of Santa Cruz, not the State.

D. Discussion of County's Parking Regulation

Commissioner Brocklebank explained that when new homes are replaced in mobilehome parks the replacement homes are frequently so much larger that there is no longer 2-car parking for the spaces. This problem was previously taken to the Board of Supervisors, and a new ordinance was created which tied the number of parking spaces to the size of the home.

Supervisor Beautz explained that part of the problem is that it is difficult for the County to handle these types of issues in mobilehome parks because of jurisdiction issues. The County considers community impact in its determination of how best to utilize staff and resources with regard to enforcement.

County Counsel explained that if residents are not satisfied with the Planning Department's resolution, they can schedule a meeting with Tom Burns, the Director of Planning. Residents could also present a petition that has been signed by other residents. If residents are still dissatisfied with the resolution, they can write a letter to the Board of Supervisors.

E. Addition to Agenda: Discussion of Moving the Mobilehome Commission Meetings to Capitola City Hall

County Counsel's office contacted the Capitola City Hall Community Room in response to questions from the Commission last meeting. The room would be free, but the parking would not be free for everyone attending the meeting. Also, the current location is a more central location. The Commission decided to not pursue other locations and will remain meeting at the Senior Center in Live Oak.

**III. CORRESPONDENCE**

Commissioner Lerno introduced the following letters: letter from the Mobilehome Commission to Governor Schwarzenegger Re: SB 1231; letter from the Mobilehome Commission to Governor Schwarzenegger Re: AB 1469; letter to mobilehome park owners correcting a typographical error in the CPI rent adjustment letter for 2007; letter of appreciation from Mobilehome Commission to Senator Dunn; letter to Santa Cruz County Board of Supervisors from Commission requesting the Board oppose Proposition 90; and letters to RV park owners regarding 2007 CPI rent adjustment.

**IV. COMMUNITY INPUT**

There will be a meeting on October 7 at 2:00 at Rodeo Estates Mobilehome Park regarding Proposition 90; visitors will have to park on the street. It is a resident park meeting, but the Commissioners are invited to attend. The clubhouse at the park, however, cannot accommodate a large crowd so it was requested that notices not be sent to park residents in other parks due to lack of space. People can contact the vice president of GSMOL directly to come speak at other parks. Discussion followed regarding methods by which to notify mobilehome park residents to vote no on Proposition 90.

Jerry Bowles informed the Commission that HCD held a public meeting on September 13, 2006, for the rewrite of several sections of Title 25 of the CA Code of Regulations. The final version should be in print in the next 30 days. The Commissioners, who represent geographic areas in the County, recommended park residents and mobilehome purchasers review Title 25, the County code, and individual park rules regarding parking regulations.

A resident of Blue Pacific Mobilehome Park informed the Commission that the rent

adjustment hearing is on hold while the residents prepare the grievances. Meanwhile, the park management is beginning to work on different problems in the park.

**V. ADJOURNMENT**

The meeting was adjourned at 11:08.

Respectfully submitted,

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Lee Ann Shenkman, Staff Secretary, Mobilehome Commission

Approved 10/26/06: \_\_\_\_\_

**MOBILEHOME COMMISSION MEETING**  
**ELENA BASKIN LIVE OAK SENIOR CENTER**  
**1777 CAPITOLA ROAD, SANTA CRUZ, CALIFORNIA 95062**

**October 26, 2006**  
**9:30 A.M.**

- I. CALL TO ORDER/ROLL CALL/APPROVAL OF SEPTEMBER MINUTES / AGENDA ADDITIONS.
- II. BUSINESS
  - a. Commissioner Reports
  - b. Legislation
    - 1. Final Bill Summary
  - c. Discussion on Jurisdiction Over Lot Lines (requested by Commissioner Halterman)
  - d. Approval of 2006 Annual Report
  - e. Schedule of Commission Meeting Date for November/December
- III. CORRESPONDENCE
  - None
- IV. COMMUNITY INPUT
- V. ADJOURNMENT

For further information, please contact Lee Ann at the Office of the County Counsel, 454-2040.

As a courtesy to those persons affected, please attend the meeting smoke and scent free. Please turn off cell phones.

Mobilehome Commission By-Laws, Paragraph 7, Agenda states: Public participation in Commission meetings shall be allowed as follows:

- 1. An opportunity for members of the public to directly address the Commission on any item on the agenda of interest to the public shall be provided before or during the Commission's consideration of the item.
- 2. In addition, the agenda will provide for community oral communication on the items not on the agenda, which are within the subject matter jurisdiction of the Commission at the end of each regular meeting agenda.

# **MINUTES**

## **MOBILEHOME COMMISSION MEETING**

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**October 26, 2006**

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

**COMMISSIONERS PRESENT:** Jean Brocklebank, 1<sup>st</sup> District  
Henry Cleveland, 2<sup>nd</sup> District  
Mary Louise Crowther, 4<sup>th</sup> District  
Rick Halterman, 5<sup>th</sup> District  
Ruth Hunter, 3<sup>rd</sup> District  
Carol Lerno, GSMOL Representative  
Bonnie Lund, WMHA Representative

**COMMISSIONERS ABSENT:** None

**BOARD OF SUPERVISORS  
REPRESENTATIVE:** Jan Beautz

**COUNTY COUNSEL:** Marie Costa

**SECRETARY:** Lee Ann Shenkman

**GUESTS:** Jerry L. Bowles

Chair Carol Lerno called the meeting to order at 9:30 a.m. There were 3 people in the audience. The minutes of the September 28, 2006, meeting were reviewed and upon motion of Commissioner Brocklebank, seconded by Commissioner Crowther, the September 28, 2006, minutes were approved.

#### **I. ADDITIONS AND DELETIONS TO THE AGENDA**

Commissioner Lerno added "Item II. F" to the agenda: a discussion regarding roadways and vehicle parking in mobilehome parks.

#### **II. BUSINESS**

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

Commissioner Crowther updated the Commission on her park, Monterey Vista Mobile Estates. There was a hearing on October 10<sup>th</sup> and the final decision should be issued November 6, 2006. On an unrelated note, Commissioner Crowther reported that Jerry Bowles was elected Volunteer of the Year for the Executive Council of Homeowners "ECHO," and is now on their board of directors. ECHO is an organization for homeowners' associations. The website for this organization is [www.echo-ca.org](http://www.echo-ca.org).

Commissioner Lerno informed the Commission that ROPs have scheduled residential meetings. At her park's last meeting (in October) two topics they discussed were mold and parking issues.

Commissioner Brocklebank found a mobilehome park listing for Santa Cruz County which was created in December 1996 and listed 55 mobilehome parks in Santa Cruz County. In Commissioner Brocklebank's District (District 1) 28 parks were listed. County Counsel offered to prepare a form letter for the Commissioners to use to notify park residents in their districts of Mobilehome Commission meetings. County Counsel also offered to update the park list for Commissioners. Commissioner Cleveland suggested that County Counsel obtain the following information from the Assessor's Office: name of the parks, address, jurisdiction, number of units, and owner's names.

Commissioner Hunter updated the Commission regarding the status of space rents in De Anza Mobilehome Park.

#### B. Legislation

Jerry Bowles provided a status report regarding which bills were passed and which were vetoed by the Governor. HCD (Department of Housing and Community Development) is upgrading the Mobilehome Parks Act, Title 25 of CA Code of Regulations. Proposed changes include a variety of issues such as lot lines, parking, etc. The final regulations will be released in January 2007.

Jerry Bowles reported that HCD inspectors will look at the worst parks first. HCD will enforce regulations when they receive complaints; the park and residents receive copies of written violations and either party can be fined by HCD if the issue is not corrected.

#### C. Discussion on Jurisdiction Over Lot Lines

Marie Costa from County Counsel researched the issue of jurisdiction over lot lines. Health & Safety Code section 18610.5 & Title 25 are consistent in that the enforcement agency, HCD, has jurisdiction over lot lines. The only time that the local enforcement agency (county or city planning department) is involved, is if the lot line adjustments either increase or decrease the number of spaces. The park owner would then submit a copy of the application to HCD and also to the local planning department.

Jerry Bowles added that there are minor Title 25 revisions regarding lot line changes, but the revisions only apply to CIDs (Community Interest Developments).

Discussion followed regarding the importance of lot line markers, plat maps, and legal descriptions when dealing with property line disputes and adverse possession issues.

#### D. Approval of 2006 Annual Report

Commissioner Cleveland suggested adding a third goal: beginning with 2007, include the number of members of the public who attend the Mobilehome Commission meetings and add this information to the annual report.

The Commissioners further requested that the first goal in the "Future Goals" section of the report be revised to read: "Encourage public attendance and input by mobilehome park residents and park owners at monthly Commission meetings to assess the needs of the mobilehome park community."

Commissioner Brocklebank made a motion to accept the annual report with recommended changes; seconded by Commissioner Crowther; motion carried and there were no

objections.

E. Schedule of Commission Meeting Date for November/December

The November/December Mobilehome Commission meeting is scheduled for December 14, 2006.

F. Addition to Agenda: Discussion Regarding Roadways And Vehicle Parking In Mobilehome Parks

Commissioner Lerno asked for clarification regarding parking for a disabled person in a mobilehome park roadway; are there any exceptions for a person with a disabled parking pass temporarily parking on the roadway? While Title 25 has specific regulations regarding parking based on the width of the roadway, Ms. Costa stated that there may be exceptions to the parking regulations regarding individuals with disabilities and disability parking passes. Ms. Costa will research this issue and return to the Commission.

**III. COMMUNITY INPUT**

A resident of Blue Pacific Mobilehome Park updated the Commission regarding the status of the residents' legal action.

**V. ADJOURNMENT**

The meeting was adjourned at 11:04.

Respectfully submitted,

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Lee Ann Shenkman, Staff Secretary, Mobilehome Commission

Approved 12/14/06:\_\_\_\_\_



**MOBILEHOME COMMISSION MEETING**  
**ELENA BASKIN LIVE OAK SENIOR CENTER**  
**1777 CAPITOLA ROAD, SANTA CRUZ, CALIFORNIA 95062**

**December 14, 2006**  
**9:30 A.M.**

- I. CALL TO ORDER/ROLL CALL/APPROVAL OF OCTOBER MINUTES / AGENDA ADDITIONS.
- II. BUSINESS
  - a. Commissioner Reports
  - b. Legislation
  - c. County Counsel Report: Fair Housing Act and Parking
- III. CORRESPONDENCE
  - None
- IV. COMMUNITY INPUT
- V. ADJOURNMENT

**The Next Mobilehome Commission Meeting Will Be January 25, 2007**

For further information, please contact Lee Ann at the Office of the County Counsel, 454-2040.

As a courtesy to those persons affected, please attend the meeting smoke and scent free. Please turn off cell phones.

Mobilehome Commission By-Laws, Paragraph 7, Agenda states: Public participation in Commission meetings shall be allowed as follows:

1. An opportunity for members of the public to directly address the Commission on any item on the agenda of interest to the public shall be provided before or during the Commission's consideration of the item.
2. In addition, the agenda will provide for community oral communication on the items not on the agenda, which are within the subject matter jurisdiction of the Commission at the end of each regular meeting agenda.

# **MINUTES**

## **MOBILEHOME COMMISSION MEETING**

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**December 14, 2006**

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

**COMMISSIONERS PRESENT:** Jean Brocklebank, 1<sup>ST</sup> District  
Henry Cleveland, 2<sup>ND</sup> District  
Mary Louise Crowther, 4<sup>TH</sup> District  
Rick Halterman, 5<sup>TH</sup> District  
Ruth Hunter, 3<sup>RD</sup> District  
Carol Lerno, GSMOL Representative  
Bonnie Lund, WMHA Representative

**COMMISSIONERS ABSENT:** None

**BOARD OF SUPERVISORS REPRESENTATIVE:** None

**COUNTY COUNSEL:** Marie Costa

**SECRETARY:** Lee Ann Shenkman

**GUESTS:** Jerry L. Bowles

Chair Carol Lerno called the meeting to order at 9:30 a.m. There were 7 people in the audience. The minutes of the October 26, 2006, meeting were reviewed and upon motion of Commissioner Halterman, seconded by Commissioner Hunter, the October 26, 2006, minutes were approved.

#### **I. ADDITIONS AND DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda.

#### **II. BUSINESS**

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

Commissioner Crowther updated the commission on her park's hearing. The decision by the judge was in the residents favor but the decision was incomplete so the residents are going back to him today. Also, the residents will be filing for a receivership. The hearing on October 10, 2006, was for damages only and the residents were awarded \$250,000 in damages plus legal fees. He did not address the purchase of the park; this had been done in a previous hearing.

Commissioner Halterman updated the Commission on the lawsuit with the city of Capitola; the City won when the case was reheard. There is still a federal suit pending.

Commissioner Cleveland stated that in the ROP Aptos Pines there are a lot of homes going in. He also visited Seacliff and Palm Terrace mobilehome parks. Commissioner Lerno will bring to next month's meeting a 5-page list of restrictions from Corralitos regarding mobilehomes. A discussion followed regarding the manner of calculation of property taxes and how they are assessed.

Commissioner Hunter updated the Commission on activities in De Anza Park. Commissioners Lund, Brocklebank, and Lerno had no updates.

#### B. Legislation

Jerry Bowles explained the timeline for the legislature. The legislature met for one day for the swearing in meeting. On that day, which was not a regular meeting, the Assembly introduced 88 bills and the Senate introduced 39 bills. None of them had to do with mobilehomes. On January 1, 2007, the new statutes take effect, and on January 3, 2007 the Legislature reconvenes for the 2007/2008 calendar year. On January 10, 2007, the first budget bills will be submitted by the Governor and January 26, 2007, is the last day to submit bill requests to the Legislative Council. Therefore, there is a short window to introduce bills. In the last session, which started two years ago, in a 3-week period 3,000 bills were introduced. We probably won't know about mobilehome bills until the middle or latter part of February.

The Senate Select Mobilehome Committee still has two people on it: Senator Alquist and Ducheny. John Tennyson, the principal consultant, has chosen to stay on one more year. The committee is usually made up of 5 senators. Mr. Bowles will report on who the chair of that committee is once it is announced.

#### C. County Counsel's Report: Department of Fair Employment and Housing and Disability Parking

Marie Costa of County Counsel prepared a written response to Commissioner Lerno's question last meeting regarding temporary parking in a common area of a mobilehome park if you are disabled. The Fair Housing Act applies, not the Americans with Disabilities Act (ADA). A disabled resident may park in a common area if it is a reasonable accommodation. The park owner may object on the basis that it is an undue financial or administrative burden. However, the Fair Housing Act requires the park owner to provide "reasonable accommodation," which may require parking in the common area. The reasonable accommodation for parking includes caregivers related to the disability, service providers (such as Meals on Wheels), etc. The resident must first make a request to the park owner or manager. Overnight parking may be considered a reasonable accommodation. The reasonable accommodation is judged on a case-by-case basis. The resident must make an official request to the park owner/management for disabled parking. The U.S. Department of Justice prosecutes these cases on behalf of the disabled resident.

County Counsel prepared a sample letter for the Commissioners to send to residents in mobilehome parks which explains the existence and purpose of the Mobilehome Commission. County Counsel will have the list of parks, separated by District, for the Commissioners at next month's meeting.

### III. CORRESPONDENCE

None

### IV. COMMUNITY INPUT

A resident of Blue Pacific Mobilehome Park updated the Commission regarding complaints made to management. Park management has been performing maintenance in the park including street maintenance, pool maintenance, fencing, etc.

**V. ADJOURNMENT**

The meeting was adjourned at 10:12 A.M. The next meeting will be January 25, 2007.

Respectfully submitted,

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Lee Ann Shenkman, Staff Secretary  
To the Mobilehome Commission

Approved 1/25/07: \_\_\_\_\_