

MOBILEHOME COMMISSON MEETING

Elena Baskin Live Oak Senior Center
1777 Capitola Road, Santa Cruz, California 95062

January 25, 2007

9:30 AM

- I. Call to Order/Approval of December Minutes/Agenda Additions
- II. Business
 - a. Commissioner Reports
 - b. Legislation
 - c. Discussion of Commission Meeting Place
 - d. Mobilehome Park Lists
- III. Correspondence
 - a. Letter from Live Oak Multipurpose Senior Center dated 12/28/06
 - b. Supervisor Mark Stone's letter to the Board of Supervisors dated 12/21/06 regarding the Annual Report of the Mobilehome Commission
 - c. Supervisor Jan Beautz' letter to the Mobilehome Commissioners dated 1/10/07
- IV. Community Input
- V. Adjournment

The next Mobilehome Commission meeting will be February 22, 2007.

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.

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

MINUTES

MOBILEHOME COMMISSION MEETING

January 25, 2007

Elena Baskin Live Oak Senior Center

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

COMMISSIONERS ABSENT: None

BOARD OF SUPERVISORS REPRESENTATIVE: Janet K. 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 5 people in the audience. The minutes of the December 14, 2006, meeting were reviewed and upon motion of Commissioner Brocklebank, seconded by Commissioner Crowther, the December 14, 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's park received a ruling from the commissioner and he reversed what he had previously given; his final ruling gave the residents \$215,000 in damages plus attorney fees. The residents have applied for receivership of the park; the commissioner gave the owners 30 days to obtain the money owed the residents and if the owners do not have the funds within 30 days it will go into receivership. The defendants are requesting the right to select the receiver. It looks like another two years of going through the appeal process.

Commissioner Halterman discussed sham conversions which are a means to getting around rent control ordinances. A sham conversion occurred in Palm Springs. What can occur in a sham conversion under the state's subdivision act, is that the park owner can

subdivide, he can set the price and sell one space, and then the park comes under the subdivision act. Therefore, anyone who is moderate or above moderate income loses rent control over a 4 year period. Commissioner Halterman cautioned the other Commissioners that if the park owner wants to subdivide the park, the residents should purchase the park first to prevent a sham conversion

Commissioner Brocklebank requests that the topic of conversions of mobilehome parks in Santa Cruz County be placed on next month's agenda.

Commissioner Hunter informed the Commission on De Anza Park regarding recent break-ins in the park. The police are working with the park residents and are helping the residents organize a program in the park to eliminate the break-ins. Discussion followed regarding the benefit of neighborhood watch programs and motion detector lights in deterring break-ins in parks and residential areas.

Commissioner Lerno shared the parking regulation information received at last month's Mobilehome Commission meeting with residents in her park.

Commissioner Cleveland shared the parking regulations regarding disabled individuals with his park's board and it was also well received. Concurrently, he spoke with the fire agency about how to paint the curbs red – they will put red on all the streets in accordance with the instructions received from the fire agency. Also, January 1 of this year state law made it more difficult to tow vehicles in guest parking spots in parks. Commissioner Cleveland also spoke with residents of Blue Pacific Mobilehome park regarding their failure to maintain lawsuit; a case management meeting is scheduled for April 2, 2007. There are a many improvements being made in the park.

Commissioner Cleveland requested that financial information regarding this Commission be placed on next month's agenda.

B. Legislation

Jerry Bowles updated the Commission regarding legislation. The 2007-08 term just started this month; the last day for submittals to any legislative council is tomorrow. The last day of reading any bills is on the 23rd of next month.

There are only two bills that may affect mobilehome parks. One is SB 65 which has to do with mobilehome park health and safety standards and special occupancy parks – it is a spot bill; there will be more to come on this bill. The other bill is SB 127 which has to do with transfer disclosures and mobilehomes, more specifically those that are within ROPs.

C. Commission Meeting Place

The current meeting place, Live Oak Senior Center, is requesting an increase in rent from \$300/year to \$600/year, although the Senior Center is willing to increase the rent to only \$480/year if the Commission is considering moving to another location. The Simpkins Swim Center will rent a meeting space to the Commission for \$10.50/hour with a two-hour minimum for \$231/year. Discussion followed regarding parking availability and noise level. Parking is better at the Senior Center because while there is more parking at the Swim Center, it is frequently very busy with swim lessons and parking may be difficult. The Senior Center is quiet, whereas it can be very noisy at the Swim Center. Upon motion by Commissioner Brocklebank to remain at the Live Oak Senior Center for the \$40/hour fee; seconded by Commissioner Cleveland, the motion to remain at the Live Oak Senior Center was approved.

D. Updated Mobilehome Park Lists

Updated park lists divided by Supervisorial District were distributed. Commissioner Brocklebank commented that in her area, 20 of the parks are owned or operated by local people and 16 of them are owned or operated by people out of the county. Ms. Shenkman explained that the information on the park lists is taken from HCD's (Housing and Community Development) website, but the park lists are organized by district based upon the information received from the Elections Department and Assessor Department records.

III. CORRESPONDENCE

Supervisor Stone, Supervisor Beautz, and the Live Oak Senior Center correspondence were presented.

IV. COMMUNITY INPUT

No public comment.

V. ADJOURNMENT

The meeting was adjourned at 10:20 A.M. The next meeting will be February 22, 2007.

Respectfully submitted,

Lee Ann Shenkman, Staff Secretary
To the Mobilehome Commission

Approved 2/22/07:_____

MOBILEHOME COMMISSON MEETING

Elena Baskin Live Oak Senior Center
1777 Capitola Road, Santa Cruz, California 95062

February 22, 2007

9:30 AM

AMENDED

- I. Call to Order/Approval of January Minutes/Agenda Additions
- II. Business
 - a. Commissioner Reports
 - b. Legislation
 - c. Discussion of County Redevelopment Agency's Mobile/Manufactured Home Change Out Program
 - d. Discussion of Mobilehome Commission Website
 - e. Discussion of County Code Section Regarding Mobilehome Park Conversion (requested by Commissioner Brocklebank)
 - f. Discussion of Conversions of Mobilehome Parks to Resident Ownership
- III. Correspondence

No Written Correspondence Received
- IV. Community Input
- V. Adjournment

The next Mobilehome Commission meeting will be March 22, 2007.

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.

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

MINUTES

MOBILEHOME COMMISSION MEETING

February 22, 2007

Elena Baskin Live Oak Senior Center

COMMISSIONERS PRESENT: Jean Brocklebank, 1ST District
Henry Cleveland, 2ND District
Mary Louise Crowther, 4TH District
Rick Halterman, 5TH District
Ruth Hunter, 3RD District
Carol Lerno, GSMOL Representative

COMMISSIONERS ABSENT: Bonnie Lund, WMHA Representative

**BOARD OF SUPERVISORS
REPRESENTATIVE:** Janet K. Beautz

COUNTY COUNSEL: Marie Costa

SECRETARY: Lee Ann Shenkman

GUEST SPEAKERS: Jerry L. Bowles
Rahn Garcia, Chief Assistant County Counsel
Erik Schapiro, County Planning Department
Patrick Heisinger, County Planning Department

Chair Carol Lerno called the meeting to order at 9:30 a.m. There were 11 people in the audience. The minutes of the January 25, 2007, meeting were reviewed and upon motion of Commissioner Brocklebank, seconded by Commissioner Hunter, the January 25, 2007, 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 reported that she has scheduled a walk-through of the Alimur Park and her goal is to walk through one or two of the parks in her District each month. The Waterhouse managers that were in Santa Cruz County have moved to Sacramento so there are no longer any on-site managers left here in the Waterhouse managed parks. Commissioner Brocklebank also said that, at a meeting sometime in the future, she would like to discuss the issue of non-resident purchasers who purchase mobilehomes in parks, replace them with new units, and then sell them to new purchasers.

Commissioner Lerno reported that, in Villa Santa Cruz, although reasonable accommodations have been made regarding parking in the street, there are still issues as to whether or not the accommodations are reasonable. Therefore, this issue is currently not resolved.

Commissioner Halterman informed the Commission that for anyone who would like to see how a rate reduction hearing works, Cabrillo Mobilehome Estates will ask the City of Capitola for rent reduction based on reduction of services on February 28th and it will be shown on Community Access T.V. on March 11th at 8:00 PM.

Commissioner Hunter stated that recently there have been 3 deaths in DeAnza Mobilehome Park and the inheritors of their homes will have to pay such a high increase in rent they will not be able to sell the homes. This will allow the park owner to do whatever he wants with the park once all the residents have passed away.

Commissioner Crowther updated the Commission on her park which will have a hearing on March 16th. The residents' attorney has filed new documents with the Commissioner asking for a new hearing or vacation of the previous ruling, otherwise the residents will appeal. Another issue in the park is that maintenance is not being taken care of, specifically a fence surrounding the park. Discussion followed explaining that a fence is not required to be around a park, however, if there is an existing fence around the park then residents could potentially claim that there is a failure to maintain. The residents have options, such as providing an estimate of the work to the owner. If the owner does not have the work done, then the residents may pay to have the work done and then take the owner to small claims court for reimbursement. Another option, since the residents want to become a resident owned park, might be that the residents form a fund and fix the fence from that fund.

B. Legislation

Jerry Bowles updated the Commission on current legislation. There are seven new bills in the legislature, most of which are spot bills with titles only at this point. AB 285 (Garcia) is a statewide rent control bill. There is also another bill dealing with common interest developments establishing the office of ombudsperson again; this bill failed at the last legislative session. AB 600 (Garcia) sets up funds for mobilehome conversions for resident ownership. AB 65 deals with health and safety standards; this bill has to do with mobilehome park infractions. AB 460 deals with removal of mobilehomes in mobilehome parks.

Next week there will be a public hearing in Sacramento by Senator Lou Correa who will introduce mobilehome park conversions on Wednesday, February 28th from 10:30 to noon in Room 3191 at the State Capitol. The purpose of the meeting is to receive testimony regarding the conversions of mobilehome parks. This is an informational meeting. There will be a panel of speakers, and then the meeting will open for public comment. On the Senate Select Committee website at www.sen.ca.gov/mobilehome there will be a positional paper prepared by John Tennyson.

C. Discussion of County Redevelopment Agency's Mobile/Manufactured Home Change Out Program

Guest Speakers Erik Schapiro (Housing Manager with the County Planning Department) and Patrick Heisinger (RDA Project Manager) presented the change-out pilot program, and provided an overview of the first-time homebuyers and small-scale mobilehome rehab programs. The new pilot change-out program is directed to low-income mobilehome owners to help them finance a replacement mobilehome. The program will offer up to \$50,000 toward replacement costs, and there will be a resale price restriction. The program is starting

with 5 change-outs; two-story units are specifically ruled out at this time, but the program does not require that the replacement mobilehome stay within the footprint. RDA is working with mobilehome park owners to provide assistance in change-out. The park owners will have to comply with the requirements of the program or they cannot be part of the pilot program. Low income residents in resident owned parks are also eligible for the change-out program. The Board of Supervisors will be discussing this further during budget hearings later this year.

D. Discussion of Conversions of Mobilehome Parks to Resident Ownership

Guest speaker, Rahn Garcia, Chief Assistant County Counsel, explained the issues of the resident park conversion process and effects it might have on residents in parks in Santa Cruz County. He explained how the process is intended to operate. Most mobilehome parks are a single parcel. Under the Subdivision Map Act (Government Code section 66427.5) a mobilehome park can be subdivided into separate parcels. The statute was first enacted into law in 1991 and was substantially modified in 1995, changing much of the purpose of the statute. Some residents are concerned that it is now being used in a way to take parks out of local rent control and replaces it with a new system of how rents are set in the park. Once the first parcel is sold then rent control is preempted with a new system for charging rent.

In 1991, when it was enacted, the purpose was to aid residents to initiate resident owned parks. In 1995, the statute was significantly altered to aid park owners in initiating conversions. Once conversion to separate parcels occurs, the park owner is required to offer those lots for sale to an existing resident for a price set by the park owner. Once the first parcel is sold, local rent control is preempted and so tenants remaining in the park would then be under the statute. The rent structure under the statute falls into two categories: low-income households are on a relatively inflexible rental system, and everyone else is taken to market (unregulated) rents in four years. It is unclear who would be responsible for the common areas, roads, etc., although the statute seems to indicate that the park owner is the landlord until the park is majority owned by residents.

In 2002, AB 930 (Keeley) was enacted which added a requirement to survey the residents to see if the residents are in agreement with the conversion and support it. However, the Code does not say what constitutes a survey.

Commissioner Halterman stated that the City of Capitola is addressing the “sham conversion” issue and Capitola does not even have any attempted conversions; however, Santa Cruz County is already seeing the beginning of these conversions.

Members of the public (residents of Carriage Acres) expressed that their park owner is discussing conversion with the residents. Supervisor Beautz suggested to the residents of Carriage Acres that they have a park resident meeting with Senior Citizens Legal Services or another informed attorney so that the residents will be more fully informed of the ramifications of this type of conversion.

E. Discussion of Mobilehome Commission Website

Review and discussion of the draft layout of the website provided suggestions that Scotts Valley’s rent control ordinance, Title 25, and the Civil Code be included as links. Commissioner Lerno requested that this item be placed on next month’s agenda for further discussion.

III. CORRESPONDENCE

None

IV. COMMUNITY INPUT

A member of the public was informed that a park owner cannot require a tenant to sign a long term lease. Commissioner Lerno recommended that Bay Federal be sent the Mobilehome Commission's brochure because they do mobilehome financing.

A member of the public asked the Commissioners if they were aware of any lenders providing reverse mortgages for mobilehome owners. No one at the meeting had information regarding this issue.

V. ADJOURNMENT

The meeting was adjourned at 11:30 A.M. The next meeting will be March 22, 2007.

Respectfully submitted,

Lee Ann Shenkman, Staff Secretary
To the Mobilehome Commission

Approved 3/22/07: _____

MOBILEHOME COMMISSION MEETING

Elena Baskin Live Oak Senior Center
1777 Capitola Road, Santa Cruz, California 95062

March 22, 2007

9:30 AM

- I. Call to Order/Approval of February Minutes/Agenda Additions
- II. Business
 - a. Commissioner Reports
 - b. Legislation
 - c. Discussion of Mobilehome Commission Website
 - d. Mobilehome Space Fee Income & Expense Information
- III. Correspondence

No Written Correspondence Received
- IV. Community Input
- V. Adjournment

The next Mobilehome Commission meeting will be April 26, 2007.

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.

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

MINUTES

MOBILEHOME COMMISSION MEETING

March 22, 2007

Elena Baskin Live Oak Senior Center

COMMISSIONERS PRESENT: Jean Brocklebank, 1ST District
Henry Cleveland, 2ND District
Mary Louise Crowther, 4TH District
Rick Halterman, 5TH District
Carol Lerno, GSMOL Representative
Bonnie Lund, WMHA Representative

COMMISSIONERS ABSENT: Ruth Hunter, 3rd District

**BOARD OF SUPERVISORS
REPRESENTATIVE:** Janet K. Beautz

COUNTY COUNSEL: Marie Costa

SECRETARY: Lee Ann Shenkman

GUEST SPEAKERS: 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 February 22, 2007, meeting were reviewed and upon motion of Commissioner Halterman, seconded by Commissioner Crowther, the February 22, 2007, 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 opened discussion regarding available resources to residents when park owners/managers fail to provide park maintenance. It was recommended that residents write letters in their own names to the owners of the park and cite the mobilehome residence law regarding the owner's requirement to meet with them. It was also recommended that these letters reflect that a carbon copy was also sent to the Senior Citizens' Legal Services' attorney, Terry Hancock. Another recommendation was to contact the lawyer referral service for a nominal fee for a half hour consultation. A further recommendation was to contact the HCD (Housing & Community Development) Ombudsman. HCD does not charge an inspection fee if the reported park problem involves health and safety.

Commissioner Brocklebank reported that while she toured Alimur Park she saw issues of failure to maintain and a potential spring or water system leak. She recommended that the residents address the issue with the park owner. A further potential issue she discovered was that, although the park does not have a resident manager, due to the size of this park it is required to have a resident manager. Commissioner Brocklebank reports that in her own park, Yacht Harbor Manor, there have been recent problems with vandalism so a neighborhood watch program and motion detector lights are being installed. It was recommended that residents experiencing vandalism problems notify park management and the non-emergency sheriff so patrols can be increased in and around the park.

Commissioner Cleveland toured parks in his district since the last Commission meeting. Some parks he observed and/or visited were Surf and Sand, Cabrillo Mobilehome Estates, Palm Terrace, and Pinto Lake. In Commissioner Cleveland's ROP park (Aptos Pines) they had their first election under the CID law. There was not a quorum for the election, but in accordance with their Homeowner's Association bylaws, the three candidates that were running for election were appointed by the remaining board.

Commissioner Halterman stated that last month he had informed the Commission that the City of Capitola would be addressing the "sham conversion" issue at their next City Council meeting. The City Attorney, however, took this item off the Capitola City Council's agenda. Therefore, the issue of sham conversions has not yet been discussed by the Capitola City Council.

B. Legislation

Jerry Bowles updated the Commission on current legislation. He recommended that people read the text of the bills and view the status of the bills by going online to www.leginfo.ca.gov. Some bills are spot bills which still have to be introduced and read by the legislators. Some bills will be heard, some won't, and some may or may not make it all the way up to the Governor's desk. GSMOL has taken a position on the following bills: SB 541 (supports); SB 589 (supports); SB 753 (supports); SB 900 (supports); SB 981 (supports); AB 285 (opposes); AB 446 (supports); AB 460 (opposes); AB 1111 (supports); AB 1309 (opposes); AB 1542 (supports).

Mr. Bowles recommended that the Board of Supervisors take action along with the GSMOL recommendations. However, he recommends no action be taken on spot bills until the language is developed. Mr. Bowles also recommends that the Commission review the status of the bills prior to making Board recommendations. Supervisor Beautz agreed that normally it is better to wait on the spot bills unless the bill is so onerous that immediate action is necessary.

Mr. Bowles also provided information on two more bills. SB 948 concerns ROPs and would make board member training mandatory. Every member of the board of directors of an association would have to complete at least one 3-hour course during every term of office. SB 127 requires CID sale disclosure deadlines for sales of real property or leases with option to purchase. This bill would require disclosures to be made within three days of an execution of an offer to purchase.

Commissioner Halterman understands that in other areas of California there are about 30 sham conversions currently in process. He explained that SB 900 and AB 1542, which are essentially the same bill, would delete section 66427.5 of the Subdivision Map Act to prevent sham conversions. John Laird will co-sponsor both bills. Commissioner Halterman recommended the Commission support this legislation; the County already supports this

legislation. If one of these bills passes in its present form, there will be local control again. The County has already passed a moratorium on these kinds of subdivisions.

John Laird's office stated that there will not be a committee assignment on the Assembly bill until next week. The Senate bill is going to the Transportation and Housing Committee. The address to write to is: Senator Lowenthal (Chair of the Committee who will hear this bill), Capitol Building, Room 2032, Sacramento, CA, 95818. FAX: 916-327-9113. Commissioner Halterman recommended that everyone write letters and send copies of your letter to Senator Simitian and the Governor.

Commissioner Brocklebank requested that an item be placed on the April Mobilehome Commission agenda to discuss drafting a letter to the Board of Supervisors recommending their support or opposition to certain Legislative bills.

The Commission stated it wants the minutes of today's meeting to reflect the Commission's respect and appreciation for Jan Beautz support. The temporary moratorium is good for 45 days, and then it can be extended.

Rod Quartararo from Bay Federal Credit Union, attending the meeting as a member of the public, stressed the importance of obtaining the local incorporated cities' support.

C. Discussion of Mobilehome Commission Website

The initial design of the proposed website was reviewed and discussed. Recommended additions to the website were phone numbers for Senior Legal Services, the list of contacts for mobilehome issues, park lists by supervisorial district, and California Mobilehome Resource and Action Association (CMRAA). Commissioner Brocklebank made a motion to proceed with the website, seconded by Commissioner Cleveland; approved.

D. Mobilehome Space Fee Income & Expense Information

Commissioners reviewed the financial information.

III. CORRESPONDENCE

None

IV. COMMUNITY INPUT

A member of the public was informed that if there is a rat problem in the area surrounding the outer boundary of her park, she should call County Environmental Health in Santa Cruz as well as Vector Control.

Carriage Acres residents in attendance at the meeting thanked Jan Beautz, her staff, Terry Hancock, and Commissioner Halterman for their support regarding the potential conversion of Carriage Acres. Although park owners withdrew their offer, the residents have formed an association.

V. ADJOURNMENT

The meeting was adjourned at 10:58 A.M. The next meeting will be April 26, 2007.

Respectfully submitted,

Lee Ann Shenkman, Staff Secretary

To the Mobilehome Commission

Approved 4/26/07:_____

MOBILEHOME COMMISSION MEETING

Elena Baskin Live Oak Senior Center
1777 Capitola Road, Santa Cruz, California 95062

April 26, 2007

9:30 AM

- I. Call to Order/Approval of March Minutes/Agenda Additions
- II. Business
 - a. Commissioner Reports
 - b. Legislation
 - c. Discussion of Legislative Bills (requested by Commissioner Brocklebank)
- III. Correspondence
 - Letter to Ruth Hunter
- IV. Community Input
- V. Adjournment

The next Mobilehome Commission meeting will be May 24, 2007.

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.

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

MINUTES

MOBILEHOME COMMISSION MEETING

April 26, 2007

Elena Baskin Live Oak Senior Center

COMMISSIONERS PRESENT: Jean Brocklebank, 1ST District
Henry Cleveland, 2ND District
Mary Louise Crowther, 4TH District
Rick Halterman, 5TH District
Carol Lerno, GSMOL Representative
Bonnie Lund, WMHA Representative

COMMISSIONERS ABSENT: Vacancy, 3rd District

**BOARD OF SUPERVISORS
REPRESENTATIVE:** Janet K. Beautz

COUNTY COUNSEL: Absent

SECRETARY: Lee Ann Shenkman

GUEST SPEAKERS: Jerry L. Bowles

Chair Carol Lerno called the meeting to order at 9:30 a.m. There were 11 people in the audience. The minutes of the March 22, 2007, meeting were reviewed and upon motion of Commissioner Lund, seconded by Commissioner Crowther, the March 22, 2007, minutes were approved.

I. ADDITIONS AND DELETIONS TO THE AGENDA

There were two additions to the agenda. Commissioner Brocklebank added "Discussion of Sham Conversions" as Item II.D. Commissioner Lerno added "Discussion of Parcelization" as Item II.E.

II. BUSINESS

A. Commissioner Reports

Commissioner Lerno announced that Commissioner Ruth Hunter from the 3rd District has resigned and her position is currently available for appointment.

Commissioner Brocklebank reported that since the last Commission meeting she visited a couple of parks in her district. At her own park, Yacht Harbor Manor, the residents are attempting to have a meet and consult under the Mobilehome Residency Law with Waterhouse Management.

Commissioner Crowther thanked the Commission for advice from last month. The suggestions helped residents in her park deal with the lack of park maintenance. Park owners are responding to the residents.

Commissioner Halterman reported that there has been a decision in the rate reduction in Cabrillo Park – residents are getting \$68,000 back because of the reduction of service. It will be spread out over 12 months; there are 68 spaces in the park, so each resident will get about \$83/month in rent reduction for 12 months and then the rent will go back up after the 12 months.

Commissioner Lerno's park is considering parcelization. The concern is the Planning Department costs in becoming a PUD. The residents want to know if they have to pay the cost of a surveyor to measure boundaries or can the residents have the map accepted as is. Commissioner Lerno explained that the reason her park is considering going to a PUD is because the owners would receive a deed for their own space. Having a deed for each parcel would make it much easier for residents to obtain bank loans.

Commissioner Cleveland brought up a discussion about fire lanes marked in the park. Commissioner Lund stated that Shoreline Mobilehome Park has painted fire lanes and it has helped keep out park neighbors (who do not live in the park) from parking in the mobilehome park. Jerry Bowles explained that depending upon which fire jurisdiction the park is in, the requirements and regulations may be different regarding fire lanes. If the fire authority has designated the fire lane, then people parking in those places can be towed.

B. Legislation

Jerry Bowles updated the Commission on current legislation. SB753 has to do with purchases. HCD will administer this program for CalHome and it will benefit people who want to buy their space if they become a resident ownership; it will help very low income people buy their space and their homes. It also provides up to about \$500,000 to help the infrastructure. This is a bill to support and it has passed the first committee hearing by 10 ayes and 1 no.

The other important bill is SB127 having to do with transfers and disclosures. Originally it was written that if you were selling your property you only had 3 days to give the buyer all the disclosure documents. Now the timeline allows for as soon as practical before the transfer of title, but no later than 10 calendar days after the execution of the purchase agreement.

One of the subdivision map act bills will be heard today. Quite a few bills will be heard on May 9th in various committees. Two bills that the GSMOL opposes are AB285 and AB1309. AB1309 has already been cancelled by the author, but it is up for reconsideration on May 9th.

C. Discussion of Legislative Bills (requested by Commissioner Brocklebank)

Commissioner Halterman informed the Commission that John Laird will co-author AB1542. Commissioner Brocklebank stated that since last month when she asked that this item be placed on this agenda, Alimur Park's owner is now requesting a conversion of the park under Government Code section 66427.5. Alimur Park residents attended today's Commission meeting and informed the Commission of the park owner's intention to convert the park under this Code section. The residents stated that the park owners said the County's moratorium is illegal, that the residents do not have a choice in the conversion, and the owners would not give a price for a lot.

Supervisor Beautz informed the Commission that the County supports AB1542.

Commissioner Halterman believes that the City of Scotts Valley and Capitola also support this legislation. He thinks that the League of Cities is supporting one of the bills and the Association of County Governments is supporting the other bill. Commissioner Halterman recommended that to support the Senate bill, contact Ellen Corbett's office and see where she wants the letters sent. Also call Noreen Evans (AB1542) and see where she wants the letters sent. Jerry Bowles recommended that the letters be sent not only to the individual legislators, but also to the committee to be part of the record.

Commissioner Brocklebank added that it would be helpful to have letters of support from Bay Federal, banks, County residents, real estate agents, and manufactured home dealers. Commissioner Halterman provided Anna Caballero's fax number to help get the letters of support to her: 916-319-2128. Jerry Bowles recommended that residents go into the <http://www.leginfo.ca.gov/legsite.html> website to find the individual email addresses of the Assembly and Senate members. Letters and petitions may be taken to John Laird's office, although letters are more effective than petitions. It was recommended to the Alimur Park residents that they bring a petition to their informational meeting tomorrow regarding conversion of the park and have the residents sign the petition supporting the legislation. The petition should stress that Alimur is facing this conversion situation under Government Code section 66427.5.

D. Discussion of Sham Conversions (requested by Commissioner Brocklebank)

Discussed as part of item C above.

E. Discussion of Parcelization (requested by Commissioner Lerno)

Discussed as part of item C above, with further discussion regarding the necessity of survey maps. Commissioner Cleveland responded that what was done originally for HCD purposes and for County Planning Department purposes was not a survey map. When a map is recorded, the surveyor signs the map saying it is true and accurate and measured. Commissioner Cleveland said his understanding is that the survey map is the new standard and HCD signs off in the process.

III. CORRESPONDENCE

Letter to Ruth Hunter thanking her for her service as a Mobilehome Commissioner.

IV. COMMUNITY INPUT

A member of the public from Blue Pacific said their lawsuit is going to mediation. HCD inspected the park a few weeks ago and now there have been 7-day notices sent to residents from park management rather than from HCD directly. Some notices went directly to residents from HCD and other notices went to management. Discussion followed, explaining that HCD addresses its notices to the park or to the individual, depending upon what the violations are. It was recommended that the residents send a letter to HCD asking for an explanation of the notices.

V. ADJOURNMENT

The meeting was adjourned at 11:08 A.M. The next meeting will be May 24, 2007.

Respectfully submitted,

Lee Ann Shenkman, Staff Secretary to the

Mobilehome Commission

Approved May 24, 2007: _____

MOBILEHOME COMMISSION MEETING

Elena Baskin Live Oak Senior Center
1777 Capitola Road, Santa Cruz, California 95062

May 24, 2007

9:30 AM

- I. Call to Order/Roll Call/Approval of April Minutes/Agenda Additions
- II. Business
 - a. Commissioner Reports
 - b. Legislation
- III. Correspondence
 - a. Letter to the Board of Supervisors from Supervisor Janet K. Beautz recommending Board Support of the Passage of SB 900 and AB 1542
- IV. Community Input
- V. Adjournment

The next Mobilehome Commission meeting will be June 28, 2007.

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.

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

MINUTES

MOBILEHOME COMMISSION MEETING

May 24, 2007

Elena Baskin Live Oak Senior Center

COMMISSIONERS PRESENT: Jean Brocklebank, 1ST District
Henry Cleveland, 2ND District
Mary Louise Crowther, 4TH District
Rick Halterman, 5TH District
Carol Lerno, GSMOL Representative

COMMISSIONERS ABSENT: Bonnie Lund, WMHA Representative
Vacancy, 3rd District

**BOARD OF SUPERVISORS
REPRESENTATIVE:** Janet K. Beautz

COUNTY COUNSEL: Absent

SECRETARY: Lee Ann Shenkman

GUEST SPEAKERS: Jerry L. Bowles

Chair Carol Lerno called the meeting to order at 9:30 a.m. There were 14 people in the audience. The minutes of the April 26, 2007, meeting were reviewed and upon motion by Commissioner Cleveland, seconded by Commissioner Brocklebank, the April 26, 2007, minutes were approved.

I. ADDITIONS AND DELETIONS TO THE AGENDA

Commissioner Brocklebank added two items to the agenda. One is at the request of a resident of Shoreline Mobilehome Estates, the "Purchase of Homes by Dealers for Resale." The second addition is "Park Conversions Update."

II. BUSINESS

A. Commissioner Reports

Commissioner Crowther reported on her park, Monterey Vista Mobile Estates. Commissioner Crowther explained that in the trial involving her park, the park owner agreed to take the profits from the park, put them in a separate fund, and not disburse the profits to the family. That does not preclude them from using those funds for maintenance in the park.

Commissioner Brocklebank reported that this past month she did not visit other parks in her district but she contacted five homeowner associations of parks in her district and shared the news about sham conversions.

Commissioner Cleveland reported that the Pinto Lake resident association is forming a letter writing campaign for the current legislation regarding park conversions. Since last meeting, his park (Aptos Pines) placed signs in the park that say "fire lane no parking;" if that takes care of the problem they will not stripe the park. Commissioner Cleveland provided a two-page article from the Western Manufacturers Association which provides a park owner's view of sham conversions.

Commissioner Lerno reported that her park, Villa Santa Cruz, is still discussing potentially parcelizing their park.

B. Legislation

Jerry Bowles updated the Commission on current legislation. Today there are 3 bills being heard. Bills are read 3 times on the Assembly or Senate floor. The first time it is an introduction; then it goes to hearings and usually two policy committees or policy and finance committee; then it is read a second time out of those committees; the third time it is read and there is an Assembly or Senate vote before it goes on to the next house. If it has already been through both houses, then it goes to the governor if it passes.

SB 127: transfer of real property in ROPs; on the Senate floor for the 3rd reading today. From the Senate it will go to the Assembly.

SB 541: prohibits park management from denying residency to a buyer of a mobilehome in a mobilehome park solely on the basis that the buyer does not satisfy a minimum park income requirement, such as a 3:1 income-to-rent standard, without taking into consideration the buyer's other financial assets; passed the Senate by a 24-12 vote; has been assigned to the Housing & Community Development Committee; should be heard in about a month.

SB 586: would add money to MPROP administered by HCD; passed on a 16-0 vote; is in the Senate Appropriations suspense file now.

SB 589: regarding sewage spills; passed the Senate by a 39-0 vote; this is now in the Assembly and is waiting for assignment to a committee.

SB 829: Cal-Vets loan bill passed the Senate committee on a 16-0 vote; in a suspense file in appropriations.

SB 900: one of the conversion bills; passed the Senate committee on a 6-3 vote; it is being heard on the floor today; this is the 3rd reading; if it passes today it will be assigned to the Assembly.

SB 981: prohibits park owners from imposing costs for maintenance of park in common areas as a pass-through in addition to rents; passed the Senate committee on a 3-2 vote; it is on the floor today.

AB 446: provides park management notice to a homeowner to make certain repairs and improvements to the home; passed the Assembly floor on 43-29 vote; in Senate Transportation & Housing Committee; no date set for that hearing.

AB 460: two year bill regarding resale of older mobilehomes (pre-HUD); in Assembly Housing & Community Development but was canceled by author; is being held as a 2 year bill.

AB 1111: two year bill; requires mobilehome park management to obtain 51% of park residency before changing existing park rules limiting residency to seniors; this was canceled

by author.

AB 1309: two year bill re: increased space rents for new tenancies, supported by WMHA. Commissioner Halterman explained that after 3 years this would mean total vacancy decontrol. In discussing why the legislature should support this bill, the supporters of it explain that "leading academic and economic experts agree that rent control has caused reductions in the quality and quantity of housing...and damage some of the low income renters that these rent controls are supposed to protect..." This bill has passed one committee, and will next be in the Judiciary Committee. The only thing that is in here that tries to appease people is that after the initial rent increase for vacancy decontrol, then it is back under rent control. Toward the end of this year, hopefully everyone will send letters to the staff of the Judiciary Committee, with copies to each of the individual members.

Commissioner Halterman explained that for most of the bills, concerned citizens should write to the committees because then the letter becomes part of the record of that particular bill. Letters should also be written to individual legislators.

AB 1542: regarding conversions; passed the Assembly appropriations by 10-5 vote; today will be the second reading in the Assembly.

Discussion followed regarding the difficulty of getting correspondence to the appropriate recipient in Sacramento. The Commission requested that one of Senator Simitian's representatives come to one of our meetings to respond to questions the Commission has. Commissioner Brocklebank said she would draft a "there ought to be a law" suggestion for the Commission to review at the next meeting to see if they want to submit it as a Commission. Commissioner Cleveland recommended that before Senator Simitian's office accepts an invitation to one of the meetings, the Commissioners should have a concise presentation on what they want to accomplish during that session. Give the Commission one month in advance notice to get prepared.

C. Purchase of Homes in Parks by Dealers for Resale (added to Agenda by Commissioner Brocklebank)

A resident of Shoreline Mobilehome Estates reported that mobilehome dealers have an arrangement which is considered a type of warehousing of a mobilehome in a mobilehome park. Even though the dealers take title to it, it is on a temporary basis; the park owner knows about it and signs off on it and it is legal for the dealer to purchase an older mobilehome, replace it and then sell it to a new buyer.

D. Park Conversion Update (added to Agenda by Commissioner Brocklebank)

The Commission discussed that today would be a good opportunity to discuss SB 900 with Senator Simitian at the ice cream social he is hosting. In Yacht Harbor Manor several residents participated in a letter writing campaign and signed a petition regarding SB 900 and AB 1542. These were submitted to Senator Corbett and Assemblymember Evans.

Commissioner Halterman emphasized that the primary purpose of sham conversions by park owners is not to raise rent; it is to set the prices of the real estate. It's important to have a viable homeowner's association (HOA) in each park because if there isn't one, the park owner gets to write the survey of interest in the sham conversion (subdivision of the park). If there is a HOA, the HOA gets to participate in the survey. Also, remember, residents should respond to the survey with a "NO." It is not a good idea to tell the residents to not respond to the survey because the park owner will argue that the results of the survey are based on responses only; the residents who don't vote will not be counted as part of the ratio of who voted for/against the conversion. Commissioner Halterman recommends that the HOA goal

should be to obtain a minimum "No" vote of 2/3 of all park residents.

III. CORRESPONDENCE

Letter to the Board of Supervisors by Supervisor Jan Beautz recommending Board support of AB1542 and SB900.

IV. COMMUNITY INPUT

A member of the public discussed (a) evictions from mobilehome parks, and (b) the ability of a park owner to require, as a condition of buying a coach, the buyer remove the coach from the park.

Rod Quartararo shared that he has made a DVD concerning sham conversions which includes a presentation by Richard Close.

Supervisor Beautz informed the Commission that the County has expanded its contract with Terry Hancock/Senior Citizens Legal Services to include assistance to parks in the unincorporated area of the County where conversions are being addressed. The park should contact County Counsel to obtain a referral to Senior Citizens Legal Services for assistance with this issue.

A resident of Smithwoods Mobilehome Park had questions regarding parking and removal of structures in her park. The Commission recommended she begin by looking at her park rules and have further discussion after today's meeting.

V. ADJOURNMENT

The meeting was adjourned at 11:15 A.M. The next meeting will be June 28, 2007.

Respectfully submitted,

Lee Ann Shenkman, Staff Secretary to the
Mobilehome Commission

Approved June 28, 2007: _____

MOBILEHOME COMMISSION MEETING

Elena Baskin Live Oak Senior Center
1777 Capitola Road, Santa Cruz, California 95062

June 28, 2007

9:30 AM

- I. Call to Order/Roll Call/Approval of May Minutes/Agenda Additions
- II. Business
 - a. Commissioner Reports
 - b. Legislation
 - c. Election of Chair and Vice Chair
 - d. Discussion of: (a) park owners' July 1, 2007, last day to submit data and supporting documents on reasonable rate of return on capital improvements, and (b) date of July public hearing on reasonable rate of return in accordance with Santa Cruz County Code section 13.32.092
 - e. County Counsel Report
- III. Correspondence
 - a. 2006 Letter to the Board of Supervisors Recommending Reasonable Rate of Return for Qualified Mobilehome Park Capital Improvements Remain at 12%
 - b. May 1, 2007, Letter to the Board of Supervisors, Agenda Item 15: Amendment of Contract with Senior Citizens Legal Services
- IV. Community Input
- V. Adjournment

The next Mobilehome Commission meeting will be July 26, 2007.

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.

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

MINUTES

MOBILEHOME COMMISSION MEETING

June 28, 2007

Elena Baskin Live Oak Senior Center

COMMISSIONERS PRESENT: Jean Brocklebank, 1ST District
Henry Cleveland, 2ND District
Bonnie Lund, WMHA Representative
Rick Halterman, 5TH District
Carol Lerno, GSMOL Representative

COMMISSIONERS ABSENT: Mary Crowther, 4th District
Vacancy, 3rd District

**BOARD OF SUPERVISORS
REPRESENTATIVE:** Dave Reetz

COUNTY COUNSEL: Marie Costa

SECRETARY: Lee Ann Shenkman

Chair Carol Lerno called the meeting to order at 9:30 a.m. There were 9 members of the public in the audience. The minutes of the May 24, 2007, meeting were reviewed and upon motion by Commissioner Brocklebank, seconded by Commissioner Halterman, the May 24, 2007, 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 Lerno reported that at Trailer Haven some recreational vehicles are classified as "park models" rather than mobilehomes, and it is her understanding that the park has taken them out from under rent control. The coaches are new, look like permanent fixtures but are classified as park model recreational vehicles, and the owners have 5-year leases. A resident at Trailer Haven also asked if there was a "window period" 15 years ago where park owners were allowed to increase the rent outside of rent control restrictions. Since Trailer Haven is in Commissioner Brocklebank's district, she will attempt to contact a resident at this park this month to obtain specific details to see if there is an issue.

B. Legislation

Commissioner Halterman provided an update on the two conversion bills. The SB bill has passed the Senate and crossed over to the Assembly. It was supposed to go to the

Housing Committee yesterday, but he thinks it was postponed. It is still scheduled to go to the Local Government Committee on July 11th. The vote was 22 to 16 in the Senate, but the Governor could veto it.

AB 1542 passed. John Laird gave an impassioned speech on the floor of the Assembly. The bill originally lost, but Assemblyperson Laird gave his speech and the vote then passed the bill. The Assembly bill has been changed and is no longer the same as the Senate bill. Originally the bills eliminated section 66427.5 and amended section 66427.4 with the primary reason to get back to local control. The Assembly bill no longer repeals 66427.5. The bill now provides that where a jurisdiction has a local rent control ordinance, those provisions will continue to apply to mobilehome spaces not purchased by a resident; in the absence of a local rent control ordinance, the state rent control formula provided in Government Code Section 66427.5 will apply to mobilehome park spaces that residents do not purchase. Another change in the bill is that it used to say "the scope of the hearing shall be limited to the issue of compliance with this section" – that is now lined out. Under the amended bill, local governments will have far more control over what they can do; they are not limited by this section.

The Commission discussed the fact that it is not only park residents who are in support of AB 1542 and SB 900, but also some park owners. It was recommended that these park owners, including resident owned parks, write letters in support of the legislation AB 1542 and SB 900. It was also recommended that Santa Cruz residents contact their friends and relatives in other areas of the state to contact the Governor to let him know how they feel about these bills once they are passed the legislature.

C. Election of Chair and Vice Chair

Each June the elections are held for Chair and Vice Chair. The terms are for one year.

The Commission commended the current Chair, Commissioner Lerno, and Vice Chair, Commissioner Brocklebank, for their hard work and dedication to the Commission.

By a majority vote, Carol Lerno was elected the Chair of the Mobilehome Commission and Henry Cleveland was elected Vice Chair of the Mobilehome Commission, effective July 1, 2007.

D. Discussion Of: (A) Park Owners' July 1, 2007, Last Day To Submit Data And Supporting Documents On Reasonable Rate Of Return On Capital Improvements, And (B) Date Of July Public Hearing On Reasonable Rate Of Return In Accordance With Santa Cruz County Code Section 13.32.092

The reasonable rate of return comes up each year at this time. The public hearing will be held at the next Commission meeting on July 26, 2007. This agenda was also sent out to park owners to inform them of the public hearing next month.

E. County Counsel Report

There was an opinion request from Commissioner Crowther regarding disclosures in sales of mobilehomes. Ms. Costa explained that her research indicated that owners are required to disclose pending lawsuits affecting the property, however, a real estate attorney could provide a more definitive answer for specific cases. The County Counsel office is focused on the County's rent control regulations and conversions, both of which fall under the purview of the County's control, rather than opinions on real estate issues in general.

The Mobilehome Commission's website is almost complete. Once it is complete, Lee Ann Shenkman will forward the website link to each of the Commissioners who have email.

Senator Joseph Simitian, or his representative, is tentatively scheduled to attend the July 26th Mobilehome Commission meeting at 9:30 AM at the invitation of the Commission. He will be voting on AB 1542 in early July, and if it passes, he will be voting on that bill again in August. The Commission has three issues it would like to discuss with the Senator: (a) that the Commission requests one of the bills (AB 1542 or SB 900) pass the legislature; (b) the Commission requests a "no" vote on the two-year bill, AB 1309, which would bring vacancy decontrol statewide; and, (c) the issue of attorney fees for cities and counties. The Commission is also interested in what the Senator's concerns and interests are in mobilehome issues. The Commission would like to emphasize to Senator Simitian the number of parks and voters in our County and that the Commission represents the mobilehome communities.

A member of the public informed the Commission that she had a conversation with Senator Simitian in which he explained his principal reservation with SB 900 was that many people do not have as strong a support for mobilehome parks as Santa Cruz County does; this bill would throw decisions back into local governments, and many local governments are not as supportive as Santa Cruz. The Commission appreciates Senator Simitian's support and "aye" vote on SB 900 and realizes that he had conflicting pressure on this bill. The Commission appreciates that he is knowledgeable as a certified planner and he has worked hard to understand the issues. Commissioner Brocklebank recommended that residents contact Senator Simitian's office before the July vote and thank him for his support on SB 900 and encourage his "aye" vote on AB 1542.

III. CORRESPONDENCE

The following letters were provided to the Commission: (a) the letter to the Board of Supervisors in 2006 recommending that the reasonable rate of return for qualified mobilehome park capital improvements remain at 12%, and (b) the May 1, 2007, letter to the Board of Supervisors, agenda item 15: Amendment of Contract with Senior Citizens Legal Services. The amendment to the contract authorizes Senior Citizens Legal Services to provide mobilehome residents with advice, counsel and representation at County administrative hearings regarding issues related to park conversions.

IV. COMMUNITY INPUT

A member of the public asked the Commission if they knew if mobilehome sale activity has slowed since the recent park conversion issues. No one was aware of slower sales.

V. ADJOURNMENT

The meeting was adjourned at 10:35 A.M. The next meeting will be July 26, 2007.

Respectfully submitted,

Lee Ann Shenkman, Staff Secretary to the
Mobilehome Commission

Approved July 26, 2007: _____

MOBILEHOME COMMISSION MEETING

Elena Baskin Live Oak Senior Center
1777 Capitola Road, Santa Cruz, California 95062

July 26, 2007

9:30 AM

- I. Call to Order/Roll Call
- II. Presentation/Discussion with Senator Joseph Simitian or His Representative
- III. Approval of June Minutes/Agenda Additions
- IV. Business
 - a. Commissioner Reports
 - b. Legislation
 - c. 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
 - d. Discussion of Mobilehome Commission Website
- V. Correspondence
 - a. Draft Letter to the Board of Supervisors Recommending Reasonable Rate of Return for Qualified Mobilehome Park Capital Improvements Remain at 12%
- VI. Community Input
- VII. Adjournment

The next Mobilehome Commission meeting will be August 23, 2007.

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.

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

MINUTES

MOBILEHOME COMMISSION MEETING

July 26, 2007

Elena Baskin Live Oak Senior Center

COMMISSIONERS PRESENT: Jean Brocklebank, 1ST District
Henry Cleveland, 2ND District
Bonnie Lund, WMHA Representative
Rick Halterman, 5TH District
Carol Lerno, GSMOL Representative

COMMISSIONERS ABSENT: Mary Crowther, 4th District
Vacancy, 3rd District

**BOARD OF SUPERVISORS
REPRESENTATIVE:** Jan Beautz

COUNTY COUNSEL: Marie Costa

SECRETARY: Lee Ann Shenkman

GUESTS: Jerry Bowles
Maureen McCarty, Representative from
Senator Joe Simitian's Office

Chair Carol Lerno called the meeting to order at 9:30 a.m. There were 15 members of the public in the audience. The minutes of the June 28, 2007, meeting were reviewed and upon motion by Commissioner Halterman, seconded by Commissioner Cleveland, the June 28, 2007, minutes were approved.

I. ADDITIONS AND DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

II. PRESENTATION/DISCUSSION WITH REPRESENTATIVE FROM THE OFFICE OF SENATOR JOSEPH SIMITIAN

The highest number of public inquiries that Senator Simitian's office has received is regarding SB 900. The Senator is aware that this is a very important issue, and he supports this bill. He also is in support of AB 1542. He is concerned, however, that the loophole that these bills are trying to close does not inadvertently open other loopholes. The existing Subdivision Map Act works reasonably well when dealing with non-sham conversions, but it does not have protections against sham conversions. SB 900 (now a 2-year bill) and the amended AB 1542 address some of the Senator's concerns.

Supervisor Beautz informed the Commission that an ordinance will be on the Board of Supervisor's Agenda for August 7, 2007. A 1:00 P.M. meeting in Supervisor Beautz' office will be held on Friday, August 3rd, to review and discuss the County's proposed ordinance.

III. BUSINESS

A. Commissioner Reports

Commissioner Brocklebank discussed Trailer Haven and park models. It is her understanding that the park owners define a park model as a recreational vehicle.

Commissioner Cleveland informed the Commission that he is working on a census of mobilehome parks in the County.

Commissioner Halterman reminded everyone that it is important to call the Governor in support of AB 1542 after the floor vote on the Senate. The City of Capitola will meet on August 9th and at that meeting may pass an ordinance similar to what the County intends to pass.

Commissioner Lerno attended a meeting in Commissioner Crowther's park last week with Terry Hancock and Commissioner Halterman to respond to questions from the residents and inform the residents of where and how help is available to them regarding mobilehome issues.

B. Legislation

Jerry Bowles informed the Commission that only one bill, AB 1153, has been sent to the governor's office so far. This bill requires fingerprinting of mobilehome dealers.

In the Assembly for a third reading is the mobilehome definition changes regarding structures built before June 15, 1976; those built after that date will be called manufactured homes.

SB 586 is a bill regarding MPROP (Mobilehome Park Resident Ownership Program) funds; this bill doubles the amount of money available for park conversions.

SB 981 has to do with pass through fees. It has passed the Senate and is currently in the Assembly.

AB 285 has to do with second homes and rent control; it is a two year bill.

AB 1111 has to do with senior limits; it requires mobilehome park management to obtain consent of 51% of park residents before changing existing park rules, limiting residents in the park to seniors. It is a two year bill, sponsored by GSMOL.

C. 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

The Public Hearing was opened at 10:58 A.M. There were no comments from the public. The Public Hearing was closed at 10:59 A.M. After discussion, Commissioner Brocklebank made a motion that the Mobilehome Commission accept the draft letter and send it to the Board of Supervisors recommending retaining the 12% reasonable rate of return for the coming year; Commissioner Halterman seconded. All approved, motion carried.

D. Discussion of Mobilehome Commission Website

The Commission recommended that the agenda and minutes be included on the website and that the website contain a link to the websites of Senator Simitian, Senator

Maldonado, and Assemblymember Laird.

III. CORRESPONDENCE

The following letter was provided to the Commission: Draft Letter to the Board of Supervisors Recommending Reasonable Rate of Return for Qualified Mobilehome Park Capital Improvements Remain at 12%.

IV. COMMUNITY INPUT

A member of the public who is a park resident is concerned that some residents in her park may have long-term leases that are not legal. She will notify these affected residents to contact County Counsel for a possible referral to Senior Citizens' Legal Services.

A member of the public stated that it is her understanding that Bay Federal Credit Union will loan only to those residents owning mobilehomes that are under rent control. Therefore, if a park is no longer under rent control, it is her understanding that the residents will lose the ability to borrow money utilizing their mobilehome as collateral.

V. ADJOURNMENT

The meeting was adjourned at 11:08 A.M. The next meeting will be August 23, 2007.

Respectfully submitted,

Lee Ann Shenkman, Staff Secretary to the
Mobilehome Commission

Approved 9/27/07: _____

MOBILEHOME COMMISSION MEETING

Elena Baskin Live Oak Senior Center
1777 Capitola Road, Santa Cruz, California 95062

August 23, 2007

9:30 AM

- I. Call to Order/Roll Call/Approval of July Minutes/Agenda Additions
- II. Business
 - a. Minutes of July 2007 meeting will be submitted at September 2007 meeting for approval
 - b. Commissioner Reports
 - c. Legislation
 - d. Discussion of the Mobilehome Commission Pamphlet: To Prospective Homeowners – Things you Should Know Before You Sign
 - e. County Counsel Report – County Conversion Ordinance
- III. Correspondence
 - a. Letter to the Board of Supervisors Recommending Reasonable Rate of Return for Qualified Mobilehome Park Capital Improvements Remain at 12%
 - b. Notice to Mobilehome Park Owners Regarding Consumer Price Index Rent Adjustment for 2008 Mobilehome Space Rents
 - c. Notice to Recreational Vehicle Park Owners Regarding Consumer Price Index Rent Adjustment for 2008 Recreational Vehicle Space Rents
- IV. Community Input
- V. Adjournment

The next Mobilehome Commission meeting will be September 27, 2007.

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.

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

MINUTES

MOBILEHOME COMMISSION MEETING

August 23, 2007

Elena Baskin Live Oak Senior Center

Commissioners Present: Jean Brocklebank, 1st District
Henry Cleveland, 2nd District
Mary Crowther, 4th District
Rick Halterman, 5th District
Carol Lerno, GSMOL Representative
Bonnie Lund, WMHA Representative

Commissioners Absent: Vacant, 3rd District

Board of Supervisors Representative: Supervisor Janet K. Beautz

County Counsel: Marie Costa

Secretary: Lee Ann Shenkman

Carol Lerno called the meeting to order at 9:30 A.M. There were 11 people in the audience.

I. ADDITIONS AND DELETIONS TO THE AGENDA

No additions or deletions.

II. BUSINESS

A. Minutes of July 2007 Meeting will be Submitted at the September 2007 Meeting for Approval.

B. Commissioner Reports

Commissioner Halterman informed the Commission that the County and the City of Capitola each passed conversion ordinances this month. Commissioner Brocklebank added that the Santa Cruz Sentinel editorial page yesterday and today each had informative letters regarding the County's ordinance.

C. Legislation

Commissioner Lerno reminded the Commissioners and public that although Jerry Bowles was unable to attend today's meeting, they can access the mobilehome legislation on the Senate Select Committee website.

Commissioner Halterman reported that AB 1542 is a better bill than SB 900. There are 7 senators whose votes regarding AB 1542 are currently undecided. If anyone would like to call them, their names and numbers are: (a) Democrats: Lou Correa (916-651-4034) and Leland Yee (916-651-4008); and, (b) Republicans Jeffery Denham (916-651-4012), Tom Harmon (916-651-4035), Able Maldonado (916-651-4015), Bob Dutton (916-651-4031), and Dave Cogdill (916-651-4014). The vote may take place the week after Labor Day. Letters and phone calls to Governor Schwarzenegger need to be made as soon as possible after the bill passes. It would also be very helpful if residents of resident owned parks also contact the Governor in support of AB 1542.

Supervisor Jan Beautz thanked everyone who has written letters to the editor regarding the issues surrounding current mobilehome legislation and the County's conversion ordinance.

D. Discussion of the Mobilehome Commission Pamphlet: To Prospective Homeowners – Things You Should Know Before You Sign

Commissioner Cleveland recommended that the pamphlet should have a revision date and it should include our Mobilehome Commission website. Also the pamphlet should be downloadable from the website. Any comments or recommendations by the Commissioners after reviewing the pamphlet should be sent to Lee Ann Shenkman.

E. County Counsel Report – County Conversion Ordinance

Marie Costa from County Counsel's Office referred the Commission to the August 7, 2007, Board of Supervisors Agenda letter. This letter explains the County's ordinance which is consistent with Government Code section 66427.5 and establishes regulations regarding the processing of applications to ensure bona fide resident conversions.

III. CORRESPONDENCE

Correspondence reviewed: Letter to the Board of Supervisors Recommending Reasonable Rate of Return for Qualified Mobilehome Park Capital Improvements Remain at 12%; Notices to Mobilehome Park Owners Regarding Consumer Price Index Rent Adjustment for 2008 Mobilehome Space Rents and Recreational Vehicle Space Rents.

IV. COMMUNITY INPUT

A member of the public provided the Commission with COMO (Coalition of Mobilehome Owners) newsletters and membership applications. For anyone that is interested in becoming a member of this organization, it is similar to GSMOL.

Rod Quartararo explained Bay Federal Credit Union loan policies regarding parks without rent control and space leases greater than 12 months. Mr. Quartararo also informed the Commission that the cities of Watsonville and Scotts Valley do not yet have ordinances similar to the County's and the City of Capitola.

V. ADJOURNMENT

The meeting was adjourned at 10:25 A.M. The next meeting will be September 27, 2007.

Respectfully submitted,

Lee Ann Shenkman, Staff Secretary to the
Mobilehome Commission

Approved 9/27/07: _____

MOBILEHOME COMMISSON MEETING

Elena Baskin Live Oak Senior Center
1777 Capitola Road, Santa Cruz, California 95062

September 27, 2007

9:30 AM

- I. Call to Order/Roll Call/Approval of July & August Minutes/Agenda Additions
- II. Business
 - a. Commissioner Reports
 - b. Legislation
 - c. Update on County of Santa Cruz Mobilehome Programs (Patrick Heisinger & Erik Schapiro, Santa Cruz County Planning Department)
 - d. Discussion of Mobilehome Commission Website
 - e. Discussion of the Mobilehome Commission Pamphlet: To Prospective Homeowners – Things you Should Know Before You Sign
- III. Correspondence
 - a. Letter from Supervisor Neal Coonerty Recommending Appointment of Mary L. Hanley to the Mobilehome Commission
- IV. Community Input
- V. Adjournment

The Next Mobilehome Commission Meeting Will Be October 25, 2007.

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.

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

MINUTES

MOBILEHOME COMMISSION MEETING

September 27, 2007

Elena Baskin Live Oak Senior Center

COMMISSIONERS PRESENT: Jean Brocklebank, 1ST District
Henry Cleveland, 2ND District
Mary L. Hanley, 3rd District
Mary Crowther, 4th District
Bonnie Lund, WMHA Representative
Rick Halterman, 5TH District
Carol Lerno, GSMOL Representative

COMMISSIONERS ABSENT: None

**BOARD OF SUPERVISORS
REPRESENTATIVE:** Janet K. Beautz

COUNTY COUNSEL: Marie Costa

SECRETARY: Lee Ann Shenkman

GUESTS: Jerry Bowles
Maureen McCarty
Tom Melkonian
Patrick Heisinger

Chair Carol Lerno called the meeting to order at 9:30 a.m. There were 15 members of the public in the audience. The minutes of the July 26, 2007, and August 23, 2007, meetings were reviewed and upon motion by Commissioner Lund, seconded by Commissioner Brocklebank, the 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 met with residents at Soquel Gardens Trailer Park, where they are forming a homeowners' association. The Commission discussed the issues of Section 8 Housing in the park and possible permit requirements for installation of park model homes in parks.

Commissioner Crowther discussed the variety of information contained in this month's publication from GSMOL (Golden State Mobilehome Owner's League) regarding Section 8 housing, pending legislation and lawsuits, and general information. The Commission requested that a representative from the Housing Authority attend a future Commission meeting to discuss Section 8 housing.

Commissioner Halterman informed the Commission of the following: (1) the residents of Surf & Sand, which is facing conversion, have obtained an attorney to represent them; (2) the City of Capitola residents must pay the City's Mobilehome Administrative Service Fee by October 15th; and (3) Sonoma County is being sued over its ordinance on sham conversions and it will go to court in the middle of next month.

Commissioner Mary Hanley introduced herself, and the Commission welcomed her as the new representative to the Commission for District 3.

B. Legislation

Jerry Bowles informed the Commission that legislation has finished except for health and water legislation. SB 528 (CID Agenda), AB 691 (Certified CID Managers), and AB 1153 (Mobilehome Dealers – Fingerprints) have been signed by the Governor and will be law in January 2008. AB 1153 affects all homes sold in rental or resident owned parks. The following bills are on the Governor's desk: SB 586 (MPROP Funding), SB 589 (Park Sewage Clean-Up), SB 753 (Cal Home Program), SB 829 (Cal Vet Funding Increase), AB 382 (Omnibus Housing Bill), AB 446 (Removal of Home on Resale – Notice), AB 843 (Property Tax Penalties), AB 976 (Tenant information and Discrimination), and AB 1542 (Park Condo Conversion). The Governor has until October 14, 2008, to sign AB 1542; it can also become law without his signature if he does not sign or veto it.

C. Update on County of Santa Cruz Mobilehome Programs (Patrick Heisinger Santa Cruz County Planning Department)

Patrick Heisinger from the Housing Division of the County Planning Department provided an update on the various programs offered by the County. Last year there were 22 participants in the first-time homebuyer program for mobilehomes; four years prior, there were only eight participants. Last year there were eight participants in the mobilehome rehab program which provides up to \$25,000 for life threatening issues like a rotting floor or roof. There used to be a large waiting list, but there is no longer a waiting list.

The first-time homebuyer program is a loan that is not paid back until the unit is sold or transferred. The mobilehome rehab program is paid back immediately if the participant has the ability to pay the 3% loan; if not, then the loan is paid back when the unit is sold or transferred. The mobilehome change-out program provides up to \$50,000 in subsidy to income eligible mobilehome owners to replace their older mobilehome with a new manufactured one. This subsidy is not paid back until the property is transferred or sold. This week the first two change-outs have been completed. This program is for individuals where \$25,000 is not enough; these people need a whole new unit, not just a new roof, etc. The County will not fund these change-outs unless the plot plan matches what is to be installed.

D. Discussion of Mobilehome Commission Website

Tom Melkonian, of the County Information Services Department, presented a draft of the Commission's new website. Commissioners provided feedback requesting minor format changes. The Commission approved the website with recommended changes.

E. Discussion of the Mobilehome Commission Pamphlet: To Prospective Homeowners – Things you Should Know Before You Sign

The Commission requested minor revisions to the pamphlet. Commissioner Henry Cleveland made a motion to approve the pamphlet; Commissioner Brocklebank seconded; all approved, motion carried.

The Commission requested that an item be placed on next month's Commission agenda to discuss and draft a letter to the Board of Supervisors requesting the Board add the following to its legislative program: it should be the park owner's responsibility to inform park residents of the County's rent control regulations; that they do not have to sign a lease greater than 12 months; and, what the consequences are should they sign a lease greater than 12 months.

III. CORRESPONDENCE

Letter from Supervisor Neal Coonerty Recommending Appointment of Mary L. Hanley to the Mobilehome Commission Representing District 3.

IV. COMMUNITY INPUT

A resident from Voyage West Mobilehome Park requested information regarding forming a homeowner's association.

Residents from Blue Pacific Mobilehome Park informed the Commission that their park is having a rent adjustment hearing tomorrow concerning their park on the issue of failure to maintain vs. capital improvement.

V. ADJOURNMENT

The meeting was adjourned at 11:03 A.M. The next meeting will be October 25, 2007.

Respectfully submitted,

Lee Ann Shenkman, Staff Secretary to the
Mobilehome Commission

Approved 10/25/07: _____

MOBILEHOME COMMISSON MEETING

Elena Baskin Live Oak Senior Center
1777 Capitola Road, Santa Cruz, California 95062

October 25, 2007

9:30 AM

- I. Call to Order/Roll Call/Approval of September Minutes/Agenda Additions
- II. Business
 - a. Commissioner Reports
 - b. Legislation
 - c. Discussion of 2007 Annual Report
 - d. Schedule of Commission Meeting Date for November/December
 - e. Draft Letter to Board of Supervisors Requesting Legislation Regarding the Impact of Park Residents Signing a Lease Greater Than 12 Months
 - f. County Counsel Report
- III. Correspondence
 - Reminder Letter to Mobilehome Park Management Regarding Disclosure Forms
- IV. Community Input
- V. Adjournment

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.

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

MOBILEHOME COMMISSION MEETING

Elena Baskin Live Oak Senior Center
1777 Capitola Road, Santa Cruz, California 95062

November 29, 2007

9:30 AM

- I. Call to Order/Roll Call/Approval of October Minutes/Agenda Additions
- II. Business
 - a. Commissioner Reports
 - b. Legislation
 - c. Presentation By State Housing Authority Representative Regarding Section 8 Housing
 - d. Draft Letter to Board of Supervisors Requesting Legislation Regarding the Impact of Park Residents Signing a Lease Greater Than 12 Months
 - e. Approval of 2007 Annual Report
 - f. County Counsel Report
- III. Correspondence
 - None
- IV. Community Input
- V. Adjournment

The Next Mobilehome Commission Meeting Will Be January 24, 2008.

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.

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

MINUTES

MOBILEHOME COMMISSION MEETING

November 29, 2007

Elena Baskin Live Oak Senior Center

COMMISSIONERS PRESENT: Jean Brocklebank, 1ST District
Henry Cleveland, 2ND District
Mary L. Hanley, 3rd District
Mary Crowther, 4th District
Rick Halterman, 5TH District
Bonnie Lund, WMHA Representative
Carol Lerno, GSMOL Representative

COMMISSIONERS ABSENT: None

**BOARD OF SUPERVISORS
REPRESENTATIVE:** Janet K. Beautz

COUNTY COUNSEL: Marie Costa

SECRETARY: Lee Ann Shenkman

GUESTS: Mary James & Mark Failor, CA Housing Authority

Chair Carol Lerno called the meeting to order at 9:30 a.m. There were 7 members of the public in the audience. The minutes of the October 25, 2007, meeting were reviewed and upon motion by Commissioner Cleveland, seconded by Commissioner Lund, the October 25, 2007, minutes were approved.

I. ADDITIONS AND DELETIONS TO THE AGENDA

None

II. BUSINESS

A. Commissioner Reports

Commissioner Brocklebank updated the Commission regarding the initiatives concerning eminent domain. She and Commissioner Halterman had heard that both initiatives had qualified, but that information is not verified. Commissioner Brocklebank helped obtain signatures on one of the initiatives. Also, in order to help organize residents and get them more involved with their associations, Will Constantine, Commissioner Brocklebank, and possibly Terry Hancock of Senior Citizens Legal Services will attend a resident meeting in January at the Blue & Gold Park.

B. Legislation

Rick Halterman informed the Commission that if AB1309 passes, the eminent domain initiatives will no longer matter because AB1309 would pass vacancy decontrol statewide. This is a two-year bill and it will be heard in January. Opposition letters need to be written to the Senate Judiciary Committee. At the very least, the homeowners associations from all parks in Santa Cruz should send a letter to the Senate Judiciary Committee opposing this bill. Under this bill, vacancy decontrol would occur statewide over a 3-year period, and ultimately rents would go to market value. Vacancy decontrol means that when you sell your home, whomever you sell it to will no longer be under rent control. Letters should be addressed and faxed to the Senate Judiciary Committee at 916-319-2188. The mailing address is: Assembly Judiciary Committee, 1020 N St., #104, Sacramento, CA, 95814. Tell them that your homeowners association opposes the bill because it will take away the equity of your home. Include the number of residents in your park, your park name, and if your park has a large population of seniors. This Committee tallies the letters/correspondence that they receive in support or opposition to the various bills.

Commissioner Halterman updated the Commission on SB900. This bill will be amended, but at this time he is not certain of what those amendments will be.

The Commission will draft a letter requesting that the Board of Supervisors: (a) oppose AB1309, and (b) write a letter of opposition to the Senate Judiciary Committee. Supervisor Jan Beautz will add this to the Board of Supervisors' Legislative Committee agenda.

C. Presentation By State Housing Authority Representatives Mary James and Mark Failor Regarding Section 8 Housing

Mary James and Mark Failor presented an overview of the Section 8 federal housing program. Questions regarding the information presented should be directed to the California Housing Authority at 454-9455. Section 8 is a federal program where money comes through the Housing Authority to assist low-income families and seniors to rent from a private landlord. Mobilehomes and mobilehome spaces can be rented under this program. Eligibility is basically 50% of median. Most seniors qualify up to about \$28,450.

In Santa Cruz County Section 8 is basically first come first served; there are no other priorities. The waiting list has been closed for 1 ½ years because they had 6,000 names on it and they needed to computerize it. As of yesterday it opened again and with online applications which can be accessed at the website: www.hacosantacruz.org. Applicants wait a few years to get assistance and when they get their voucher they find their own landlord where they want to live within a certain rent level.

If it is a space rental, and the park owner owns the mobilehome on the space, the park owner can choose to lease or not to lease to a Section 8 resident. If a resident owns a mobilehome and they are renting a space in the park, they can have section 8 housing if the park owner agrees. If currently living in own mobilehome in park and paying the space rent to park owners and wanted to get on waiting list for section 8 housing to get subsidy, you would ask for Section 8 housing and if qualify and park owner agrees then Section 8 would pay the space rent (or portion of it) to the owner.

Ms. James explained that when someone is given a voucher for Section 8 housing, that person rents where they want to. The Section 8 program which is the subject of this discussion provides a voucher which goes with the person, not with the housing. Therefore, in this program the person must find the housing for himself or herself. This program only has 4,000 vouchers. Only approximately 5-10% of Section 8 housing is in mobilehome parks.

Section 8 spends a fortune on investigations to verify that the person has a Section 8 voucher is using it properly. Every year the holders of the vouchers are recertified and inspected. When a family commits fraud the assistance from Section 8 is terminated. If there is drug involvement, even medical marijuana, they have to terminate the Section 8 housing because it is a federal program.

Mr. Failor explained that if rent is raised while someone holding the Section 8 voucher is living in the home, the rent must remain "rent reasonable." There are times when rent that is considered "rent reasonable" is still too much for someone if his/her income cannot make up the difference. Therefore, a landlord can raise the rent as long as it remains "rent reasonable," and if that raised rent is too expensive for the resident holding the Section 8 voucher, that resident can find another place to live that will accept Section 8 housing vouchers and restrictions. The government requires that to be in the Section 8 program, 30% of the family's income must go toward rent to qualify.

D. Draft Letter to Board of Supervisors Requesting Legislation Regarding the Impact of Park Residents Signing a Lease Greater than 12 Months

The draft letter regarding the impact of park residents signing a lease greater than 12 months was reviewed, and upon motion by Commissioner Brocklebank, seconded by Commissioner Cleveland, the letter was approved.

E. Approval of 2007 Annual Report

The 2007 Annual Report was reviewed, and upon motion by Commissioner Crowther, seconded by Commissioner Lund, the Report was approved.

F. County Counsel Report

Commissioner Halterman requested that County Counsel update the Commission at the next meeting regarding the status of the Alimur Park lawsuit.

III. CORRESPONDENCE

None

IV. COMMUNITY INPUT

A resident of Blue Pacific Mobilehome Park updated the Commission that a prehearing conference was held last week, and the hearing is scheduled for January 14, 2008. The appeal is based on pass through of various maintenance issues.

A member of the public asked if it is true that a park loses rent control when the park owner purchases a certain percentage of the park. The Commission responded that this is not true for parks that are in the unincorporated areas of Santa Cruz County that are under rent control.

A member of the public informed the Commission that nine residents in her park are paying higher rents based on automatically renewing leases which were in effect on the properties when these residents moved into the park. The leases were never signed by these residents. Marie Costa, Assistant County Counsel, recommended that the residents contact attorney Will Constantine, as she believes that Mr. Constantine settled this in a lawsuit a few years ago. If after contacting Mr. Constantine there are still questions, the residents should contact Marie Costa of the Office of the County Counsel.

V. ADJOURNMENT

The meeting was adjourned at 10:45 A.M. The next meeting will be January 24, 2008.

Respectfully submitted,

Lee Ann Shenkman, Staff Secretary to the
Mobilehome Commission

Approved: _____