

MOBILE AND MANUFACTURED HOME COMMISSION 2016-17 BIENNIAL REPORT

I. ROLE OF COMMISSION

The duties of the Commission are: (1) to study proposed state and federal legislation relating to mobile and manufactured home living; (2) assess the needs of persons living in mobile and manufactured homes; (3) submit an annual recommendation to the Board of Supervisors regarding the reasonable rate of return on capital improvements allowable as an adjustment under the mobilehome rent adjustment code; and (4) accept public input on any matter within the jurisdiction of the Commission and make recommendations to the Board of Supervisors when appropriate.

II. MEETING DATES

The Commission met six (6) times per year, on the 3rd Thursday of the month at the Simpkins Family Swim Center, Santa Cruz for the period of 2016-2017.

III. COMMISSION STRUCTURE

The Commission consists of seven (7) persons appointed by the Board of Supervisors: one (1) member nominated by the Golden State Manufactured-Home Owners League; one (1) member nominated by the Western Manufactured Housing Communities Association; and five (5) members, nominated by each of the five County Supervisors.

Commissioner	Represents
Jean Brocklebank	First District
Henry Cleveland	Second District
David Allenbaugh	Third District
Brianna Del Franco	Fourth District
Rick Halterman	Fifth District
Carol Lerno	Golden State Manufactured-Home Owners League
Charlene Garza	Western Manufactured Housing Communities Association

IV. COMMISSION STAFF

The Commission was staffed by Aimee Mangan, the Commission's Coordinator, of the Personnel Department.

V. ATTENDANCE

Please see attached attendance reports.

VI. GOALS AND ACCOMPLISHMENTS

- There were six resident petitions filed in 2016-2017, four were resolved prior to a hearing.
- Commissioners participated in monthly meetings.
- Senior Citizens Legal Services (SCLS) contracts with the County to provide legal assistance to County mobile and manufactured home park residents regarding state mobilehome law, general or special rent adjustment issues, and issues related to park conversions. The Commission requested information about comparable organizations that could provide services and some additional alternatives are now available to mobile and manufactured home park residents.
- In 2016-2017, six new referrals were made to SCLS, for legal assistance concerning the Rent Adjustment Ordinance.
- The Commission requested that an attorney from County Counsel be present at Commission meetings. County Counsel was responsive to the request and an attorney has been present at all meetings since November of 2016.
- County Counsel staff and the Commission Coordinator responded to inquiries from the public regarding the County mobilehome rent adjustment regulations. At multiple meetings, residents brought up Readiness to Serve fees charged by their water providers. Since this was not part of the annual rent increase, it was unclear whether this was subject to the county rent adjustment ordinance. The Commission requested and received an opinion from County Counsel.
- The Commission followed proposed and new legislation that affected mobilehome park residents and kept informed of lawsuits filed against local and state jurisdictions.
- Attorney William Constantine spoke to the Commission about current litigation throughout the state, including matters related to conversion requirements and other issues and disputes regarding rental adjustment ordinances.
- Commissioners, County Counsel, and the Commission Coordinator were invited to a meeting of the park residents at Alimur Park to discuss park issues and the relationship between the County's Rental Adjustment Ordinance and state law.
- The Commission made a recommendation to the Board of Supervisors that future Cal Home grant applications should include funding for residents of Investor

Owned Mobilehome Parks. The current funds are limited to mobilehome owners that live in resident owned parks. The Commission maintained and regularly updated a comprehensive website (<http://sccounty01.co.santacruz.ca.us/mhc/index.html>) which includes a description of the Commission and links to the County's Mobilehome Rent Adjustment code, hearing petition, answers to frequently asked questions, mobilehome park listings within the County, and links to numerous state and local agencies and associations to assist and inform mobilehome park residents and park owners. The mobilehome parks list was updated to correct information throughout 2016-2017 to reflect changes and corrections.

- The Park List was updated and modified to identify which parks are resident owned parks (ROP) in addition to which parks are Seniors parks.
- The Pinto Lake Special Rent Adjustment Petition, the subsequent hearing and decision, and related litigation against the County involved a considerable degree of support and coordination from County Counsel, the Commission Coordinator, and the Commission. A Hearing Officer found in favor of the residents' position, which led to a subsequent lawsuit brought by Pinto Lake management against the County challenging the Hearing Officer's decision and interpretation and application of the Rental Adjustment Ordinance. The Commission Coordinator assisted with compiling the Administrative Record in accordance with the procedures set forth in the Ordinance. County Counsel's demurrer of the action on the basis that the residents were indispensable parties to the litigation since their rights were at issue was sustained by the court. County Counsel has filed for final judgment of dismissal after opposing counsel did not file an amended lawsuit prior to the court's specified deadline.
- The Commission composed annual letters to the Board of Supervisors recommending the reasonable rate of return for qualified mobilehome park capital improvements remain at 12%.
- The Commission voted in 2016 that Space Fees remain at \$26 annually. The Commission voted in 2017 to raise Space Fees to \$38 annually largely due to expenses related to the ongoing Pinto Lake litigation.
- Representatives from the Santa Cruz County Mobile/Manufactured Homeowner Association made reports of its activities at the Commission meetings. SCCMHA generally meets six times a year and has information on how to start a Home Owners Association.
- Public attendance and oral communications at Commission meetings have been significant. Meetings will continue to be held at the Simpkins Family Swim Center on the 3rd Thursday of the month and will start at 9:30 – to 11:30 a.m. to allow

adequate time for input from the public.

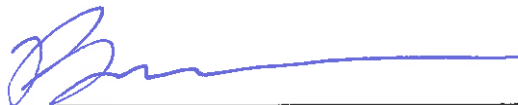
VII. FUTURE GOALS

The Commission's goals are to:

1. Encourage public attendance and input by mobile and manufactured home park residents and park owners at monthly Commission meetings to assess the needs of the mobile and manufactured home park community.
2. Study, discuss, and make recommendations to the Board of Supervisors regarding state and local legislative and mobile and manufactured home issues.
3. Continue reviewing, to fully understand, the County's mobile and manufactured home rent adjustment code.
4. Track the public attendance at the Mobile and Manufactured Home Commission meetings.

VIII. RECOMMENDATIONS

The Mobile and Manufactured Home Commission recommends that the Board of Supervisors support legislation which upholds rent control in mobile and manufactured home parks and, if necessary, pursue litigation to defend the Santa Cruz County Mobilehome Rent Control Ordinance.



Britt Harmssen, Esq.
EEO Officer

1/29/2018

Date

MMHC Attendance Report 2016

First	Last	Jan	Mar	May	Jul	Sep	Nov
Jean	Brocklebank	x	x	x	x	x	x
Henry	Cleveland	x	x	x	E	x	x
David	Allenbaugh	x	A	x	x	E	x
Brianna	Del Franco		x	x	E	x	E
Rick	Halterman	x	x	x	x	x	x
Carol	Lerno	x	x	A	x	x	x
Charlene	Garza	-	-	x	x	x	x
Bonnie	Lund	x	-	-	-	-	-

Attended = X

Excused = E

Absent= A

Not on Commission = -

MMHC Attendance Report 2017

First	Last	Jan	Mar	May	Jul	Sep	Nov
Jean	Brocklebank	x	x	x	x	x	x
Henry	Cleveland	x	x	x	x	x	x
David	Allenbaugh	x	E	x	x	x	E
Brianna	Del Franco	E	x	E	x	A	A
Rick	Halterman	x	x	x	x	x	x
Carol	Lerno	A	x	x	E	x	x
Charlene	Garza	x	E	x	x	x	x

Attended = X

Excused = E

Absent= A

Not on Commission = -