

LAKE COUNTY, CALIFORNIA
MOBILE HOME RENT STABILIZATION ORDINANCE

§ 1. PURPOSE

The purpose of this ordinance is to promote neighborhood and housing stability, healthy housing and neighborhood conditions, and affordability for mobile home park residents by establishing a fair balance between the economic needs of mobile home park tenants and park owners, and to protect mobile home park tenants from excessive rent increases while providing mobile home park owners with a fair return on their investments.

§ 2. FINDINGS

The Board of Supervisors of Lake County finds and declares as follows:

- (a) Lake County has a shortage of decent, safe and affordable housing for individuals and families of low and moderate income. The County's Housing Element identifies the preservation of existing affordable housing as a critical priority.
- (b) Mobile home parks provide an important source of affordable housing for Lake County residents. There are 69,642 residents in Lake County, with a median age of 44, and many are seniors on fixed incomes who rely on mobile home parks for affordable housing.
- (c) Special characteristics of mobile home park tenancies generally include the following:
 - 1. THE MOBILE HOME OWNER-MOBILE HOME PARK OWNER RELATIONSHIP: Mobile homes are largely immobile as a practical matter, because the cost of moving one is often a significant fraction of the value of the mobile home itself. They are generally placed permanently in parks; once in place, only about 1 in every 100 mobile homes is ever moved. A mobile home owner typically rents a plot of land, called a "pad," from the owner of a mobile home park. The park owner provides private roads within the park, common facilities, and often utilities. The mobile home owner often invests in site-specific improvements such as a driveway, steps, walkways, porches, or landscaping.
 - 2. SUBSTANTIAL COST TO RELOCATE: The cost of moving a mobile home ranges from \$5,000 to \$15,000 or more, depending on the distance moved, setup requirements, and local permit fees. Many older mobile homes cannot be moved due to structural deterioration or failure to meet current transportation standards.
 - 3. LIMITED ALTERNATIVE HOUSING: Mobile home parks that accept older mobile homes are scarce, creating limited options for residents facing unreasonable rent increases.

- (a) Of the 26,982 occupied housing units in Lake County, 70.85% are owner-occupied, while 29.15% have renters living in them, demonstrating the importance of protecting the rental housing stock, including mobile home spaces.
- (b) During recent years, housing costs in Lake County have increased substantially. The typical home value of homes in Lake County CA is \$331,152 and housing costs reach \$1,138 per month in Lake County, making mobile home parks an essential source of affordable housing.
- (c) Many mobile home owners are elderly, disabled, or have lower incomes, making them particularly vulnerable to sudden large rent increases. With Lake County's median age of 44 and a significant senior population, mobile home parks serve as critical affordable housing for seniors on fixed incomes who face unique challenges in relocating.
- (d) Senior citizens (age 62 and older) represent a particularly vulnerable population in mobile home parks due to:
 - (i) Fixed incomes that do not keep pace with rent increases
 - (ii) Physical limitations that make relocation extremely difficult or impossible
 - (iii) Long-term residence creating deep community ties and support networks

4. Limited housing alternatives due to accessibility needs and financial constraints

5. Health conditions that require housing stability for proper medical care

- (a) In response to the special situation of mobile home park residents, California has adopted landlord-tenant laws which provide special protections for mobile home park tenants (California Civil Code Section 798 et seq.). Additionally, approximately ninety (90) jurisdictions in California have adopted some type of rent control for mobile home park spaces.
- (b) Mobile home park residents, particularly senior citizens, need enhanced protection from unreasonable rent increases to preserve affordable housing opportunities, maintain housing stability, and protect vulnerable populations in Lake County.

§ 3. DEFINITIONS

For purposes of this ordinance, the following definitions shall apply:

- (a) "Consumer Price Index" or "CPI" means the Consumer Price Index for All Urban Consumers for All Items for the San Francisco-Oakland-San Jose area as reported by the U.S. Department of Labor, Bureau of Labor Statistics.
- (b) "County" means the County of Lake, California.

- (c) "Landlord" means a mobile home park owner, mobile home owner, lessor or sub-lessor who receives or is entitled to receive rent for the use and occupancy of any rental unit or portion thereof, and the agent, representative or successor of any of the foregoing.
- (d) "Mobile home" means a structure transportable in one or more sections, designed and equipped to contain not more than one dwelling unit, to be used with or without a foundation system.
- (e) "Mobile home park" means any area or tract of land where two or more mobile home lots are rented or leased, or held out for rent or lease, to accommodate mobile homes used for human habitation for permanent, as opposed to transient, occupancy.
- (f) "Rent" means any consideration, including any bonus, benefit or gratuity, demanded or received by a landlord for or in connection with the use or occupancy, including housing services, of a rental unit. "Rent" shall not include:
 - (i) Charges for utilities (gas, electricity, water, sewer, refuse collection) that are billed separately and paid directly by the tenant to the utility provider or park owner
 - (ii) Security deposits
 - (iii) Late fees not exceeding \$25 or 5% of monthly rent, whichever is greater
 - (iv) Returned check charges not exceeding \$35
- (g) "Rental unit" means a mobile home or mobile home lot, located in a mobile home park in Lake County, which is offered or available for rent.
- (h) "Service reduction" means a decrease or diminution in the basic service level provided by the park since the effective date of this ordinance.
- (i) "Senior citizen" means any person who is sixty-two (62) years of age or older.
- (j) "Tenant" means a mobile home owner or other person entitled under the terms of a rental agreement to the use or occupancy of any rental unit.

§ 4. APPLICABILITY OF ORDINANCE

This ordinance shall be applicable to all mobile home park spaces within the unincorporated areas of Lake County except as provided in Section 5.

§ 5. EXEMPTIONS FROM THIS ORDINANCE

- (a) The following exemptions from local rent regulations are provided by state law:

- (i) Spaces that are subject to a lease which exempts that space from rent regulation pursuant to the California Mobile Home Residency Law, California Civil Code Section 798 et seq.
- (ii) New mobile home park spaces which are exempted pursuant to Civil Code Section 798.45
- (iii) Spaces which are not the principal residence of the mobile home owner

(b) This ordinance shall not apply to:

- (i) Mobile homes or mobile home parks owned or operated by any governmental agency
- (ii) Any rental unit whose rent is subsidized pursuant to a public program that limits the rent that can be charged for the mobile home
- (iii) Mobile home spaces in parks with fewer than 10 spaces

§ 6. PERMISSIBLE RENT INCREASES

No rent in excess of rent in effect on [EFFECTIVE DATE], may be charged unless authorized by one of the following sections of this ordinance:

- Section 7 (Automatic annual increases based on increases in the Consumer Price Index)
- Section 8 (Allowable rent following the expiration of an exempt lease)
- Section 9 (Allowable rent increases upon 'in place' transfer of mobile home ownership)
- Section 10 (Fair return standard)
- Section 12 (Rent increases for new capital improvements)

§ 7. AUTOMATIC ANNUAL INCREASES BASED UPON INCREASES IN THE CONSUMER PRICE INDEX (CPI)

- (a) Commencing in calendar year [YEAR AFTER EFFECTIVE DATE], on or after May 1st of each year, the rent may be increased over the allowable rent as of May 1st of the prior year by seventy-five percent (75%) of the percentage increase in the CPI last reported as of January 30th in the current year over the CPI last reported as of January 30th in the prior year. The percentage amount of said increase shall be rounded to the nearest one-quarter percent.
- (b) In no event shall the annual increase exceed five percent (5%) of the existing rent.
- (c) Senior Citizen Protection. For mobile home spaces where the primary tenant is a senior citizen (age 62 or older), the annual rent increase shall not exceed three percent (3%) of the existing rent, regardless of the CPI calculation under subsection (a).
- (d) If the CPI decreases or remains the same from the prior year, no automatic rent increase shall be permitted under this section.

- (e) No rent increase under this section may be imposed more than once in any twelve (12) month period.

§ 8. ALLOWABLE RENT FOLLOWING EXPIRATION OF AN EXEMPT LEASE

Upon expiration of a lease agreement that was exempt from this ordinance pursuant to state law, the rent may be increased to the market rate, subject to the limitations of state law and this ordinance for future increases.

§ 9. ALLOWABLE RENT INCREASES UPON 'IN PLACE' TRANSFER OF MOBILE HOME OWNERSHIP

- (a) When a mobile home is sold "in place" to a new owner who will occupy the mobile home as their principal residence, the park owner may increase the rent by up to five percent (5%) over the rent charged to the previous tenant, or to the amount that would be allowed under Section 7, whichever is greater.
- (b) Such rent increase shall not take effect until 60 days after the completion of the sale and transfer of the mobile home.

§ 10. FAIR RETURN STANDARD

- (a) Right to Petition. A park owner may petition for a rent increase in excess of the amount allowed in Section 7 in order to obtain a fair return. No petition may be filed until thirty (30) days after this ordinance becomes effective.
- (b) Limit on Frequency. Only one petition pursuant to this section may be filed for a mobile home park within a twelve (12) month period.
- (c) Fair Return Standard. A fair return shall allow the park owner to maintain the property and receive a reasonable return on investment while considering:
 - (i) The need to preserve affordable housing in Lake County
 - (ii) The financial condition of the park owner
 - (iii) The condition and age of the mobile home park
 - (iv) Any capital improvements made to the park
 - (v) The impact on senior citizens and other vulnerable populations
- (d) Senior Citizen Impact Assessment. When reviewing fair return petitions, the County shall give special consideration to the impact of proposed rent increases on senior citizen tenants, including:
 - (i) The percentage of senior citizen residents in the park
 - (ii) The potential for displacement of senior citizens
 - (iii) The availability of alternative affordable housing for seniors

- (iv) The financial hardship that would be imposed on senior residents

§ 11. PROCEDURES FOR REVIEW OF FAIR RETURN PETITIONS

- (a) Fair return petitions shall be submitted to the Lake County Community Development Department with supporting financial documentation.
- (b) The County shall establish procedures for reviewing petitions, including public hearings and tenant notification requirements.
- (c) Senior Citizen Notification. When a fair return petition is filed for a park with senior citizen residents, the County shall:
 - (i) Provide direct written notice to all senior citizen tenants in the park
 - (ii) Offer assistance in understanding the petition and their rights
 - (iii) Provide information about resources for seniors facing potential rent increases
- (d) The County may approve, modify, or deny petitions based on the fair return standard established in Section 10.

§ 12. RENT INCREASES FOR NEW CAPITAL IMPROVEMENTS

- (a) Park owners may petition for rent increases to recover the cost of capital improvements that benefit the mobile home park tenants.
- (b) Allowable improvements include:
 - (i) Installation or improvement of recreational facilities
 - (ii) Infrastructure improvements (roads, utilities, drainage)
 - (iii) Security improvements
 - (iv) Accessibility improvements required by law
- (c) The cost of approved capital improvements may be recovered over a period not to exceed ten (10) years through monthly rent increases.

§ 13. RENT REDUCTIONS FOR SERVICE REDUCTIONS

- (a) If a park owner reduces or eliminates services previously provided to tenants, the County may order a corresponding reduction in rent.
- (b) Tenants may petition the County for rent reductions when services are decreased.

§ 14. WAIVERS

No tenant may waive their rights under this ordinance. Any agreement purporting to waive such rights shall be void and unenforceable.

§ 15. INFORMATION TO BE SUPPLIED BY PARK OWNER TO TENANTS AND PROSPECTIVE TENANTS

(a) Park owners shall provide all tenants and prospective tenants with:

- (i) A copy of this ordinance
- (ii) A notice explaining tenant rights under this ordinance
- (iii) Information about how to file complaints or petitions

(b) Such information shall be provided in English and Spanish.

§ 16. INFORMATION TO BE PROVIDED BY COUNTY TO PUBLIC

The County shall make available to the public information about:

- 1. Current CPI rates and allowable rent increases
- 2. Procedures for filing petitions and complaints
- 3. Contact information for enforcement

§ 17. RESIDENT REPRESENTATIVES

Mobile home park tenants may organize and select resident representatives to participate in proceedings under this ordinance and to receive notices on behalf of park residents.

§ 18. RIGHTS OF PROSPECTIVE TENANTS

- (a) Any prospective tenant must be offered the option of renting a mobile home space in a manner which will permit the tenant to receive the benefits of this rent stabilization program, including rental on a month-to-month basis.
- (b) No prospective tenant can be denied the option of a tenancy of twelve (12) months or less in duration.

§ 19. ANNUAL REGISTRATION AND OTHER REQUIRED NOTICES

(a) Mobile home park owners shall register annually with Lake County and provide:

- (i) Current rent amounts for each space
- (ii) Any rent increases implemented in the prior year
- (iii) Contact information for the park owner or management company
- (iv) The number and percentage of senior citizen residents in the park

(b) Registration fees shall be established by resolution of the Board of Supervisors.

- (c) Senior Citizen Registry. Park owners shall maintain a registry of senior citizen residents (with resident consent) to ensure proper application of senior citizen protections under this ordinance.

§ 20. RETALIATION PROHIBITED

- (a) It shall be unlawful for a park owner to retaliate against any tenant for:
 - (i) Organizing or petitioning government for rent relief
 - (ii) Exercising any right granted under this ordinance
 - (iii) Filing complaints about park conditions
 - (iv) Testifying in proceedings under this ordinance
- (b) Prohibited retaliatory actions include, but are not limited to:
 - (i) Threatening to bring or bringing an action to recover possession
 - (ii) Threatening to or actually decreasing services
 - (iii) Threatening to or actually increasing rent beyond amounts allowed
 - (iv) Harassing tenants

§ 21. DEMANDS FOR EXCESSIVE RENTS

Any demand for rent in excess of amounts allowed under this ordinance is unlawful and may subject the park owner to civil penalties.

§ 22. EXCESSIVE RENT - CIVIL PENALTIES

- (a) Any park owner who charges rent in excess of amounts allowed under this ordinance shall be liable to the tenant for:
 - (i) Actual damages
 - (ii) Reasonable attorney's fees
 - (iii) Civil penalties as determined by the County
- (b) Civil penalties may range from \$500 to \$5,000 per violation, depending on the severity and duration of the violation.

§ 23. RULES AND GUIDELINES

The Lake County Board of Supervisors may adopt rules and guidelines necessary to implement this ordinance.

§ 24. COMPELLING COMPLIANCE

The County may pursue any legal remedy available to compel compliance with this ordinance, including injunctive relief and civil penalties.

§ 25. FEES OF ADMINISTRATION

- (a) Administrative Service Fee. The County may charge an administrative service fee upon mobile home spaces covered by this ordinance to cover the reasonable costs of administering this program.
- (b) Collection. Administrative fees shall be collected by park owners and submitted to the County quarterly.
- (c) Amount. The administrative fee shall not exceed five dollars (\$5.00) per space per month and shall be set by resolution of the Board of Supervisors.

§ 26. APPEAL

- (a) Any party aggrieved by a decision under this ordinance may appeal to the Lake County Board of Supervisors within thirty (30) days of the decision.
- (b) Appeals shall be conducted in accordance with procedures established by the County.

§ 27. SENIOR CITIZEN HARDSHIP PROVISIONS

- (a) Emergency Hardship Relief. Senior citizens facing extreme financial hardship may petition the County for temporary relief from rent increases, including:
 - (i) Payment plans for rent increases
 - (ii) Temporary deferrals of increases due to medical emergencies
 - (iii) Referrals to social services and senior assistance programs
- (b) Relocation Assistance. If a senior citizen is displaced due to park closure or conversion, the park owner shall provide:
 - (i) Minimum 180 days written notice (instead of standard notice periods)
 - (ii) Relocation assistance of not less than \$3,000 per household
 - (iii) Assistance in finding alternative affordable housing
- (c) Senior Citizen Advisory Committee. The County may establish a Senior Citizen Advisory Committee to:
 - (i) Monitor implementation of senior citizen protections
 - (ii) Recommend improvements to senior citizen provisions
 - (iii) Assist seniors in understanding their rights under this ordinance

§ 28. SEVERABILITY

If any provision of this ordinance is held invalid by a court of competent jurisdiction, the remainder of the ordinance shall remain in full force and effect.

§ 28. EFFECTIVE DATE

This ordinance shall take effect thirty (30) days after its adoption by the Lake County Board of Supervisors.