


Agenda Report Reviewed by:  
City Manager: 

CITY OF SEBASTOPOL  
CITY COUNCIL  
AGENDA ITEM

Meeting Date: April 4, 2023

To: Honorable Mayor and City Councilmembers

From: City Councilmember Maurer

Subject: Request for Amendment to City Ordinance, the Mobile Home Rent Stabilization Ordinance.

Recommendation: Request would be to determine if there is Council support to amend an ordinance. If there is an affirmative vote to review potential amendments to the ordinance, it would be recommended that the Council:

- Direct staff to prepare an ordinance; or
- approve creation of an ad hoc committee to meet with Stakeholders; and
- appoint two Councilmembers to the newly created ad hoc committee; and
- Direct newly formed Ad Hoc Committee to return with a recommendation to the City Council.

Funding: Currently Budgeted: \_\_\_\_\_ Yes \_\_\_\_\_ No XX N/A

Net General Fund Cost:  
Amount:

Account Code/Costs authorized in City Approved Budget: \_\_\_\_\_(verified by Administrative Services Department)

**INTRODUCTION:**

This item is for City Council to Discuss and Consider Request for Amendment to City Ordinance, the Mobile Home Rent Stabilization Ordinance. If there is an affirmative vote to review potential amendments to the ordinance, it would be recommended that the Council:

- Direct staff to prepare an ordinance; or
- approve creation of an ad hoc committee to meet with Stakeholders; and
- appoint two Councilmembers to the newly created ad hoc committee; and
- Direct newly formed Ad Hoc Committee to return with a recommendation to the City Council.

**BACKGROUND:**

In 1985, the Sonoma County Board of Supervisors recognized that a serious problem of rapidly increasing mobilehome park space rents existed in the unincorporated areas of Sonoma County. In 1986, the Board retained an experienced consultant to conduct a market survey of mobilehome parks and mobilehome park residents in the County and after publicly noticed meetings, the County of Sonoma enacted County Ordinance 4667.

In 1994, the City has adopted a rent stabilization ordinance and program for mobilehome parks within the City, modeled upon the program adopted by the Sonoma County Board of Supervisors and was last amended in 2008.

Current Ordinance:

The purpose of the current ordinance is to stabilize the rate of mobilehome park space rental in order to:

- (1) prevent exploitation of the shortage of vacant mobilehome park spaces;
- (2) prevent excessive and unreasonable mobilehome park space rent increases;
- (3) rectify the disparity of bargaining power which exists between mobilehome park residents and mobilehome park owners;
- (4) provide mobilehome park owners with a guaranteed rate of annual space rent increase which accurately reflects the rate of inflation and increases in their expenses; and
- (5) provide a process for ensuring mobilehome park owners a fair, just, and reasonable rate of return on their parks in cases where the guaranteed annual space rent increase provided by this ordinance proves insufficient.

It also seeks to:

- (1) provide continued rent control through the transfer of a mobilehome-on-site (i.e. on the mobile home pad) to a new mobilehome owner to prevent exploitative rental increases that took place when vacancy decontrol was tried in earlier versions of this ordinance.
- (2) provide space rent stabilization protection to tenants of recreational vehicles occupying spaces in mobilehome parks for more than nine months in recognition of the special status conferred by the Recreational Vehicle Park Occupancy Laws to such long-term residences under Civil Code Section 799.45(b) and their similarity to mobilehome tenancies.
- (3) provide options in the duration of tenancies to prospective mobilehome tenants to prevent oppressive adhesion contracts from being imposed upon new park tenants.

The City also contracts with the Sonoma County Community Development Commission for this purpose of administering the City of Sebastopol's Mobilehome Rent Stabilization Program. The following services are provided:

1. Providing day to day responses to citizen inquiries regarding the City Ordinance
2. Providing administrative services to process arbitration petitions
3. Locating and retaining arbitrators for administrative hearings under the City Ordinance, who have certified to the Commission they meet the Commission's selection criteria
4. Arranging location for administrative hearings and other meetings as required by the City Ordinance

As part of the agreement, Sonoma County Community Development Commission and its staff may be required to apply and interpret the rent stabilization ordinance of the City in connection with such services, and the City agrees it will promptly provide guidance to the Commission regarding issues arising under the City ordinance upon request.

This agreement provides that the Commission will be paid at the rate of \$85.00 per hour for services rendered in the administration of the City mobilehome rent stabilization ordinance. It is anticipated that the annual services will not exceed one hundred and eight (108) hours per year. Should services be required beyond the one hundred and eight (108) hours, additional negotiations will be required.

The Commission will be paid at the rate of \$200 per hour for County Counsel services provided to City in counseling Commission staff regarding the administration of City's rent stabilization program. If services necessary to administer said program appear to exceed this estimate, additional legal services in excess of Ninety (90) hours per year must be negotiated and the subject matter of a separate written modification.

Rent Increases:

Currently, the ordinance states the following regarding rent increases:

- A. Except as provided in subsections B and C of this section, from and after August 22, 1992, or the effective date of the ordinance codified in this chapter, whichever should be earlier, the space rent payable for use or occupancy of any mobile home space shall not be increased, in any 12-month period, more than once.

Said increase shall not exceed:

1. One hundred percent of the percent change in Consumer Price Index; or
2. Six percent, whichever may be less.

B. If a park owner wishes to apportion to each space on a pro rata basis the allowable percentage of any current rent stabilization administration fee, in addition to any increase of space rent in accordance with subsection A of this section, the following provision shall apply:

1. The owner shall provide to all affected tenants documentation supporting the allowable amount to be collected in order to recover a portion of rent stabilization administration fees. At a minimum such documentation shall include: billing notices or other equivalent documents from the City imposing the rent stabilization administration fee; a copy of SMC 9.28.170, which authorizes the apportionment of rent stabilization administration fees; and the calculations used by the owner to apportion the cost of the allowable percentage among the affected tenants. In addition, the owner shall provide all affected tenants with the address and telephone number of the Clerk and the fact that the affected tenant is encouraged to contact the Clerk for an explanation of the provisions of this chapter.
2. A rent increase approved pursuant to the provisions of this subsection and in accordance with the procedure set forth in SMC 9.28.070 shall not be considered part of the rent base upon which future rent increases can be made.

C. In the event an owner wishes to increase the rent payable for any mobile home space within a 12-month period more than the amount permitted in subsection A of this section for any reason other than that stated in subsection B of this section, the procedures set forth in SMC 9.28.060 and 9.28.070 shall be followed. In the event an owner wishes to increase the rent payable for any mobile home space within a 12-month period more than 300 percent of the percent change in the Consumer Price Index, a mandatory meet-and-confer meeting and arbitration shall be automatically required to show good cause why such an increase is necessary. The arbitrator may reduce this proposed increase to a figure determined upon the evidence submitted by the park owner or his representative to be a fair return upon investment.

**DISCUSSION:**

Mobilehome rent stabilization ordinances are a specific set of ordinances that apply to mobilehome parks and do not apply to single family and multifamily housing units. Mobilehome park residents typically own their mobilehome but rent the land upon which the mobilehome sits. Mobilehome parks typically have very low vacancy rates, and turnover is very limited. The purpose of mobilehome rent stabilization is to protect residents who cannot easily relocate their units and who seek protection from unreasonable rent increases.

The City of Sebastopol has received emails, phone calls, and most recently petitions from Fircrest Mobile Home Park residents asking the City to help retain the affordability of Fircrest Senior Mobile Home Park by amending the Rent Stabilization Ordinance to limit annual rent increases to no more than 50% of the Bay Area Consumer Price Index with a cap of 4%.

City staff and Councilmember Maurer has met with the residents to discuss limiting annual rent increases to no more than 50% of the Bay Area Consumer Price Index with a cap of 4%. As noted earlier in the report, the current Ordinance allows for annual rent increases by the amount of the annual percentage change of the San Francisco-Oakland-Hayward Consumer Price Index ("SF CPI"), up to a maximum of 6%.

This item has not been discussed with the owners of Fircrest Mobile Home Park nor has the City or Council discussed how this could impact the City's current Park Village.

As this item is recommending changes that impacts both residents and Park Owner(s), there is a need for both residents and owner(s) to participate in the process and staff is recommending a Council created ad hoc committee to work with the stakeholders on an amendment if the Council is in consensus to review the current ordinance for any amendments.

**CITY COUNCIL AND/OR GENERAL PLAN GOALS:**

**GOALS:**

Goal 5 - Provide Open and Responsive Municipal Government Leadership

Policy B-4: Sebastopol will encourage continued operation of the privately-owned Fircrest Mobile Home Park and encourage efforts to provide additional affordable housing opportunities.

**ENVIRONMENTAL IMPACT:**

This action is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) and 15378 in that there is no possibility that the implementation of this action may have significant effects on the environment, and no further environmental review is required.

**PUBLIC COMMENT:**

As of the writing of this staff report, the City has received public comment which is attached to this agenda item. If staff receives further public comment from interested parties following the publication and distribution of this staff report, such comments will be provided to the City Council as supplemental materials before or at the meeting. In addition, public comments may be offered during the public comment portion of this item.

**PUBLIC NOTICE:**

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to schedule meeting date.

**FISCAL IMPACT:**

There is no fiscal impact with this item tonight other than staff time.

**RECOMMENDATION:** That the City Council Discuss and Consider Request for Amendment to City Ordinance, the Mobile Home Rent Stabilization Ordinance and if there is an affirmative vote to review potential amendments to the ordinance, that the Council :

- Direct staff to prepare an ordinance; or
- approve creation of an ad hoc committee to meet with Stakeholders; and
- appoint two Councilmembers to the newly created ad hoc committee; and
- Direct newly formed Ad Hoc Committee to return with a recommendation to the City Council.

**Attachment(s):**

Current Ordinance  
Petitions

## Chapter 9.28

### MOBILE HOMERENT STABILIZATION

Sections:

- 9.28.010 Findings and purpose.**
- 9.28.020 Additional findings and purpose.**
- 9.28.030 Definitions.**
- 9.28.040 Base rent – Initial calculation.**
- 9.28.050 Residential rent increase limitations.**
- 9.28.060 Information to be supplied tenants and tenants-to-be.**
- 9.28.070 Rent dispute resolution process.**
- 9.28.080 Rights of a tenant-to-be.**
- 9.28.090 Subpoena power.**
- 9.28.100 Consolidation of petitions.**
- 9.28.110 Standards of review.**
- 9.28.120 Net operating income.**
- 9.28.130 Obligations of the parties.**
- 9.28.140 Tenant’s right of refusal.**
- 9.28.150 Retaliatory acts – Tenant’s right to organize.**
- 9.28.160 Solicitation of any petitions by the park owners are without force or legal effect within County’s program.**
- 9.28.170 Fees.**
- 9.28.180 Exemption from fees.**
- 9.28.190 Nonwaiverability.**
- 9.28.200 Penalties and remedies.**
- 9.28.210 Review by the City Council.**
- 9.28.230 Vacancy control – Establishment of new base rent.**
- 9.28.240 When recreation vehicle space tenants are to be treated as “affected tenants.”**
- 9.28.260 Legal challenge.**

#### **9.28.010 Findings and purpose.**

A. In 1985, the Sonoma County Board of Supervisors recognized that a serious problem of rapidly increasing mobile home park space rents existed in the unincorporated areas of Sonoma County. In 1986, the Board retained an experienced consultant, Connerly and Associates, Inc., to conduct a market survey of mobile home parks and mobile home park residents in the County.

B. In January 1987, Connerly and Associates, Inc., submitted to the Board a written report detailing their findings, which were as follows:

1. The majority of mobile homes in the County are located in rented spaces in mobile home parks.
2. In the unincorporated area of the County, there are 75 mobile home parks containing 3,659 spaces (1986).
3. Mobile homes in mobile home parks provide an important alternative form of housing for a substantial number of County residents.
4. The majority of mobile home park residents are age 65 or older.
5. The median income of mobile home park residents in unincorporated County areas is \$14,000/year, which is defined by the U.S. Department of Housing and Urban Development as "lower" income (in 1986).
6. In the unincorporated County areas, about 43 percent of mobile home park residents are defined as "very low" income recipients according to the HUD definition of that term (in 1986).
7. Seventy percent of mobile home park resident households have at least one retired member whose primary source of income is Social Security payments.
8. During the past three years, median mobile home park space rents have increased by 18.1 percent.
9. A majority of mobile home park residents in the County pay more than 25 percent of their income for housing.
10. A large majority of mobile home park residents own the mobile homes which they occupy and many of these residents have substantial loan payments to meet in addition to rent payments.
11. The median estimated sales value of a mobile home in a mobile home park exceeds \$30,000.
12. Many mobile home park residents were born in Sonoma County or have lived in the County for 10 years or more.
13. The vacancy rate among mobile home park spaces is 0.3 percent (in 1986).
14. The cost of moving a mobile home is in the range of \$2,900 to \$4,000 or more (in 1986).

C. The Board of Supervisors reviewed the above conclusions on March 16, 1987, and found them to be true and correct. In reviewing a new rent control survey prepared by Connerly and Associates in early 1992, the Board of Supervisors found a profound need for continued mobile home space, and, in special circumstances, recreational vehicle space rent control. The Board of Supervisors found the 1992 survey, its data and its conclusions to be true and correct, and took particular note of the following:

1. Mobile homes and manufactured housing have represented an affordable form of shelter to millions of Californians with modest incomes. This has been especially true for elderly persons living on fixed Social Security or retirement incomes.

2. A vacancy rate of 1.2 percent in 1991 and vacancy rates of typically one percent or less over the past five years have given mobile home park owners a virtual oligopoly where market forces do not influence space rental pricing.
3. Typical moving costs for mobile homes from one mobile home park to another (if vacant spaces could be located) range from approximately \$5,000 to \$9,000 depending upon the size of the mobile home.
4. The average annual rent increase proposed by park owners between 1987 and 1991 was 13.2 percent per annum. Pursuant to the rent stabilization ordinance, on average less than half the proposed percentage rent increase was authorized during those years.
5. Persons over 65 comprised over half of the mobile home park population.
6. Of those survey respondents reporting their level of income, 43 percent were very low-income (50 percent or less of the median County income) and 27 percent were lower-income (50 percent to 80 percent of the median County income).
7. Few residents reported substantial assets which they could draw upon to meet future housing expenses. Fewer than half of the respondents had \$30,000 or more in assets (excluding the value of their mobile homes).
8. Under the County's voluntary mediation program between 1985 and 1987, park owners proposed annual rent increases averaging 9.6 percent, nearly four times the rate of general price increases according to the CPI for Sonoma County. After mandatory arbitration was established, and the current rent control ordinance adopted, requested rent increases were generally twice or more of the approved rent increases. Approved rent increases, on the average, began to mirror the CPI.
9. The mobile home space rent stabilization program has succeeded in its broad objectives and should be expanded to address additional problem areas.
10. The Board of Supervisors found that it would be desirable to include long-term recreational vehicle space tenants in mobile home parks under the rent stabilization program. Such tenants in mobile home parks appear to be similarly situated to mobile home tenants except for the vehicular character of their dwellings. Although mobile, recreational vehicles in mobile home parks are "trapped" by the low vacancy rate within mobile home parks. Transient recreational vehicle parks are not amenable to the type of permanent residency needs of permanent recreational vehicle space tenants.
11. The Board of Supervisors found that it would be desirable to provide prospective mobile home park tenants with an option to choose between a long-term lease and a periodic tenancy of less than one year in duration. The terms offered under typical long-term leases by some park owners are excessively long, oppressive, one-sided adhesion agreements. Such an option furthers a legitimate governmental objective and is not in conflict with or preempted by State law.
12. The Board of Supervisors found that, on average, several dozen mobile homes are sold or offered for sale each year in Sonoma County. The sale of these mobile homes on site subjects mobile home coach owners to unreasonably suppressed resale rates due to oppressively high rental adjustments upon rent de-control.

The Board of Supervisors found that it would be desirable to provide vacancy control in its rent stabilization program as hereunder provided.

13. The need for effective and fair mobile home park space rent stabilization continues to exist in Sonoma County in 1993 as it did in 1986.

**9.28.020 Additional findings and purpose.**

A. Based on the aforementioned findings, the County of Sonoma enacted County Ordinance No. 4667. As County Ordinance No. 4667 forms the basis of this chapter, to the extent necessary and appropriate the City Council hereby incorporates the consultant’s study and the County’s findings. In addition, the City Council finds the following:

Statistically, the mobile home park vacancy rate averages under one percent, with shortage of parks, and no new ones being built. The cost of moving a mobile home today is exorbitant and averages over \$6,000. Over 50 percent of the residents are over 65, Social Security is the primary source of income for over 70 percent and many residents are either single or widowed. This is true affordable housing and needs to be preserved. There is a great need to prevent excessive space rent increases which could result in threats to health and safety and possible economic eviction.

B. The purpose of this chapter is to stabilize the rate of mobile home park space rental in order to:

- 1. Prevent exploitation of the shortage of vacant mobile home park spaces;
- 2. Prevent excessive and unreasonable mobile home park space rent increases;
- 3. Rectify the disparity of bargaining power which exists between mobile home park residents and mobile home park owners;
- 4. Provide mobile home park owners with a guaranteed rate of annual space rent increase which accurately reflects the rate of inflation and increases in their expenses; and
- 5. Provide a process for ensuring mobile home park owners a fair, just, and reasonable rate of return on their parks in cases where the guaranteed annual space rent increase provided by this chapter proves insufficient.

C. Based upon additional insights, it also seeks to:

- 1. Provide continued rent control through the transfer of a mobile home-on-site (i.e., on the mobile home pad) to a new mobile home owner to prevent exploitative rental increases that took place when vacancy decontrol was tried in earlier versions of this chapter.
- 2. Provide space rent stabilization protection to tenants of recreational vehicles occupying spaces in mobile home parks for more than nine months in recognition of the special status conferred by the recreational



vehicle park occupancy laws to such long-term residences under Civil Code Section [79.45\(b\)](#) and their similarity to mobile home tenancies.

3. Provide options in the duration of tenancies to prospective mobile home tenants to prevent oppressive adhesion contracts from being imposed upon new park tenants.

**9.28.030 Definitions.**

“Affected tenants” means those tenants whose space is not covered by a valid lease meeting the requirements as outlined in Section [798.17\(b\)](#) of the California Civil Code. Such tenants are to be notified that a space rent increase is to become effective. For purposes of providing notice of the increase, providing copies of the rent stabilization ordinance, and support of a rent arbitration petition, each space subject to a rental increase shall be deemed to have only one “affected tenant” for administrative convenience to the park owners. The reference to “all affected tenants” will refer to one representative tenant from each space subject to the proposed rental increase.

“Arbitrator” means a person (1) who is neither a tenant as that term is defined in this chapter nor who has an interest in a mobile home park of a nature that would require disqualification under the provisions of the Political Reform Act if the person were an elected State official and (2) a person whom the Clerk of the Sebastopol mobile home space rent stabilization program (see definition of “Clerk”) determines meets one of the following criteria:

1. Completion of a juris doctor or equivalent degree from a school of law and completion of a formal course of training in arbitration which, in the sole judgment of the Clerk of the Sebastopol mobile home space rent stabilization program, provides that person with the knowledge and skills to conduct a space rent dispute arbitration in a professional and successful manner; or
2. Completion of at least three arbitration proceedings for a superior court or other public entity that involved issues the Clerk of the Sebastopol mobile home space rent stabilization program finds similar to those raised in space rent dispute arbitrations.
3. Served as a California Superior or Municipal Court pro tempore judge.

“Base rent” means the authorized rent, calculated pursuant to the provisions of SMC [9.28.050](#), plus any rent increase allowed under this chapter or any rent adjustment attributable to vacancy decontrol as provided in SMC [9.28.230](#).

“Capital improvements” means those improvements that materially add to the value of the property and appreciably prolong its useful life or adapt it to new uses, and which may be amortized over the useful remaining life of the improvement to the property. The term “capital improvements” does not include those costs associated with the normal maintenance and upkeep of facilities and premises which are reasonably intended to be part of consideration provided by the mobile home park as rent. Substantial rehabilitation of the park that is necessitated as a result of the park owner’s neglect, permissive waste, deferred maintenance or acts of God shall not be regarded to be capital improvements to the extent that they restore facilities and premises to the conditions reasonably bargained for by the mobile home park tenants. Proposed capital improvements claims must set forth an amortization table spreading the cost of the improvement over its proven useful life. Such costs must be

separately itemized, if approved, on the monthly rent invoice. Monthly rent shall be decreased for such amortized capital improvement expenses at the end of the amortization period. Failure to do so shall be regarded to be unauthorized increase in rent. Capital improvements must be for the primary benefit, use and enjoyment of the tenants of the entire park, and costs must be allocated over all beneficiaries of the improvement.

“Clerk” means the Clerk of the Sebastopol mobile home space rent stabilization program, who shall be the City Manager or his or her designee.

“Consumer Price Index” means the Consumer Price Index for All Urban Consumers, San Francisco-Oakland Area, published by the U.S. Department of Labor, Bureau of Labor Statistics.

“Housing service” means a service provided by the owner related to the use or occupancy of a mobile home space, which is neither a capital improvement nor substantial rehabilitation as those terms are defined herein, including, but not limited to, repairs, replacement, maintenance, painting, lighting, heat, water, laundry facilities, refuse removal, recreational facilities, parking, security service, and employee services.

“Mobile home” means a structure designed for human habitation and for being moved on a street or highway under permit pursuant to Section [35790](#) of the California Vehicle Code. “Mobile home” includes a manufactured home, as defined in Section [18007](#) of the California Health and Safety Code, and a mobile home, as defined in Section [18008](#) of the California Health and Safety Code, but does not include a recreational vehicle, as defined in Section [799.24](#) of the California Civil Code and Section [18010](#) of the California Health and Safety Code, or a commercial coach, as defined in Section [18001.8](#) of the California Health and Safety Code except when such a vehicle has continuously remained within a mobile home park for a period in excess of nine months.

“Mobile home park” means any area of land within the City of Sebastopol where two or more mobile home spaces are rented, or held out for rent, to accommodate mobile homes used for human habitation.

“Mobile home park owner” means any owner, lessor, or sub-lessor of a mobile home park in the incorporated areas of the City of Sebastopol who receives or is entitled to receive rent for the use or occupancy of any mobile home space thereof, and the representative, agent, or successor of such owner, lessor, or sub-lessor, and who reports to the Internal Revenue Service any income received or loss of income resulting from such ownership or claims any expenses, credits or deductions because of such ownership.

“Mobile home space” means any site within a mobile home park located in the City of Sebastopol intended, designed, or used for the location or accommodation of a mobile home and any accessory structures or appurtenances attached thereto or used in conjunction therewith except (1) sites rented together and concurrently with a mobile home provided by the mobile home park owner and (2) “new construction” as defined by Civil Code Section [798.45](#). The term “mobile home space” shall also include, for purposes of this chapter and accompanying fee ordinance, rental spaces within mobile home parks which have been occupied by a “recreational vehicle” as defined by Civil Code Section [799.29](#) for a period of nine months or more.

“Mobile home tenant” means a tenant, subtenant, lessee, or sub-lessee, or any other person entitled to the use or occupancy of any mobile home space otherwise a party to a rental agreement exempt from regulation under this chapter pursuant to Civil Code Section [798.17](#).

“Net operating income” means net operating income as defined in SMC [9.28.120\(A\)](#).

“Owner” means a mobile home park owner.

“Party,” as used in this chapter, refers to any affected mobile home tenant and/or owner involved in proceedings under this chapter.

“Percent change in Consumer Price Index” means the annual percent change in the Consumer Price Index, calculated to the nearest tenth, published for the month of July, issued in the month of August. In the event that an index is not published for the month of July, the closest preceding month for which an index is published shall be used.

“Rent” means mobile home space rent.

“Rent increase” means any additional space rent demanded of or paid by a tenant for a mobile home space including any reduction in housing services without a corresponding reduction in the amount demanded or paid for rent. Said increase shall be (1) uniform in percentage rate relative to current base rent or (2) uniform in dollar amount relative to base rent. Failure to reduce rent at the end of an amortization period for a capital improvement or for separately billed utilities will also be regarded to constitute an unauthorized rent increase for the purposes of this chapter.

“Rent stabilization administration fee” means the fee established from time to time by resolution of the City Council in accordance with the provisions of SMC [9.28.170](#).

“Space rent” means the total consideration, including any bonus, benefit, or gratuity, demanded or received by a mobile home park owner for or in connection with the use or occupancy of a mobile home space or any housing services provided with the mobile home space. Space rent shall not include any amount paid for the use or occupancy of a mobile home dwelling unit, unless the amount paid for the use or occupancy of a mobile home is or includes consideration paid to a mobile home park owner under a rental agreement or other document evidencing tenancy of the mobile home.

“Substantial rehabilitation” means that work done by an owner to a mobile home space or to the common areas of the mobile home park, exclusive of a capital improvement as that term is defined herein, the value of which exceeds \$200.00 and which is performed whether to secure compliance with any State or local law or to repair damage resulting from fire, earthquake, or other casualty or natural disaster, to the extent such work is not reimbursed by insurance.

“Tenant” means mobile home space tenant.

“Tenant-to-be” means a person who is not currently a tenant in a mobile home park but is a prospective mobile home space tenant in a mobile home park who desires the use of a mobile home space as defined in this chapter and has presented himself or herself to the park owner as such.

**9.28.040 Base rent – Initial calculation.**

Except as hereinafter provided, an owner shall not demand, accept, or retain rent for a mobile home space exceeding the rent in effect for said space on the effective date of the ordinance codified in this chapter. If a

previously rented mobile home space was not rented on the effective date of the ordinance codified in this chapter, the owner shall not, except as hereinafter provided, demand, accept or retain rent for said space exceeding the rent in effect during the last month the space was rented prior to the effective date of the ordinance codified in this chapter.

### 9.28.050 Residential rent increase limitations.

A. Except as provided in subsections [B](#) and [C](#) of this section, from and after August 22, 1992, or the effective date of the ordinance codified in this chapter, whichever should be earlier, the space rent payable for use or occupancy of any mobile home space shall not be increased, in any 12-month period, more than once. Said increase shall not exceed:

1. One hundred percent of the percent change in Consumer Price Index; or
2. Six percent, whichever may be less.

B. If a park owner wishes to apportion to each space on a pro rata basis the allowable percentage of any current rent stabilization administration fee, in addition to any increase of space rent in accordance with subsection [A](#) of this section, the following provision shall apply:

1. The owner shall provide to all affected tenants documentation supporting the allowable amount to be collected in order to recover a portion of rent stabilization administration fees. At a minimum such documentation shall include: billing notices or other equivalent documents from the City imposing the rent stabilization administration fee; a copy of SMC [9.28.170](#), which authorizes the apportionment of rent stabilization administration fees; and the calculations used by the owner to apportion the cost of the allowable percentage among the affected tenants. In addition, the owner shall provide all affected tenants with the address and telephone number of the Clerk and the fact that the affected tenant is encouraged to contact the Clerk for an explanation of the provisions of this chapter.
2. A rent increase approved pursuant to the provisions of this subsection and in accordance with the procedure set forth in SMC [9.28.070](#) shall not be considered part of the rent base upon which future rent increases can be made.

C. In the event an owner wishes to increase the rent payable for any mobile home space within a 12-month period more than the amount permitted in subsection [A](#) of this section for any reason other than that stated in subsection [B](#) of this section, the procedures set forth in SMC [9.28.060](#) and [9.28.070](#) shall be followed. In the event an owner wishes to increase the rent payable for any mobile home space within a 12-month period more than 300 percent of the percent change in the Consumer Price Index, a mandatory meet-and-confer meeting and arbitration shall be automatically required to show good cause why such an increase is necessary. The arbitrator may reduce this proposed increase to a figure determined upon the evidence submitted by the park owner or his representative to be a fair return upon investment.

D. [A](#) notice of rent increase given by an owner pursuant to subsection [A](#), [B](#) or [C](#) of this section shall be given in writing at least 90 days before any rent increase is to take effect.

E. A notice of rent increase incorporating within it a proposed capital improvement which is not otherwise authorized as a pass-through pursuant to Civil Code Section [798.49](#) must be claimed within 12 months of the completion of the project, construction or final billing.

**9.28.060 Information to be supplied tenants and tenants-to-be.**

A. Within 30 days after the operative date of the ordinance codified in this chapter and upon re-renting of each mobile home space thereafter, the owner shall supply each affected tenant or tenant-to-be with a current copy of the ordinance codified in this chapter.

B. Whenever the owner serves a notice of rent increase, except a notice of rent increase provided pursuant to SMC [9.28.050\(B\)\(1\)](#), the owner shall at the same time and in the same manner serve the affected tenant or tenant-to-be with a notice that sets forth all of the following information:

1. The amount of the rent increase both in dollars and as a percentage of existing rent and documentation supporting the level of increase desired, including at a minimum: a summary of the unavoidable increases in maintenance and operating expenses; a statement of the cost, nature, amortization, and allocation among mobile home spaces of any substantial rehabilitation or capital improvement; a summary of the increased cost of the owner’s debt service and the date and nature of the sale or refinancing transaction; a summary of the owner’s net operating income of the preceding 24 months and other relevant information that supports the level of rent increase desired;
2. The identity of all other affected tenants and the spaces which they rent and a roster of tenants in the park occupying recreational vehicles in place for more than nine months;
3. The address and telephone number of the Clerk and (a) the fact that the tenant is encouraged to contact the Clerk for an explanation of the provisions of this chapter; and (b) documentation supporting the level of increase is on file with the Clerk;
4. A copy of the petition form as prepared and provided by the Clerk which initiates the process established by this chapter;
5. In addition, park owner shall place on file with the Clerk two copies of documentation supporting the level of increase desired, including at a minimum: a summary of the unavoidable increases in maintenance and operating expenses; a statement of the cost, nature, amortization, and allocation among mobile home spaces of any substantial rehabilitation or capital improvement; a summary of the increased cost of the owner’s debt service and the date and nature of the sale or refinancing transaction; a summary of the owner’s net operating income of the preceding 24 months and other relevant information that supports the level of rent increase desired. These documents will be available for inspection at the offices of the Sonoma County Community Development Commission;
6. If applicable, notification that the proposed rent increase exceeds 300 percent of the change in the Consumer Price Index, and that arbitration is deemed automatically required by the provisions of SMC [9.28.050\(C\)](#) without any need to file an arbitration petition. Such notices shall bear the following language:

“ARBITRATION OF THE PROPOSED INCREASE IS AUTOMATICALLY REQUIRED IN THIS MATTER BY OPERATION OF LAW.” Erroneous use of this notice shall be regarded as an irrevocable stipulation to the jurisdiction of the arbitrator.

- C. The park owner shall also serve any tenant- to-be as defined in SMC [9.28.030](#) with a separate “rental option” notice which sets forth the recitation in capital letters set forth in SMC [9.28.080](#), Rights of a tenant-to-be.
- D. An owner failing to provide an affected tenant or tenant-to-be with the information, documents, and notices required by this section shall not be entitled to collect any rent increase otherwise authorized by this chapter from that tenant nor to any rent increase that might otherwise be awarded by an arbitrator. Such failure by the owner shall be a defense in any action brought by the owner to recover possession of a mobile home space or to collect any rent increase from the tenant. An owner may cure the failure to serve any notice or meet the obligation to provide information to a tenant or tenant-to-be which is required under this chapter by giving such notice or information before initiating an action for possession of the space or collecting any rent increase or binding a tenant-to-be to a month-to-month rental/long-term lease election otherwise authorized hereunder.
- E. An affected tenant who is given notice of a rent increase is entitled to file a petition for space rent review as provided in SMC [9.28.070](#) in spite of the fact that the owner has failed to provide the affected tenant(s) with all the information, documents and notices required by this chapter.

**9.28.070 Rent dispute resolution process.**

A. *Mandatory Meet-and-Confer Meeting.* Except when a park owner elects rent increases permitted under SMC [9.28.050\(A\)](#), the tenants and park owners must, within seven working days of the notice of rent increase, meet and confer with each other’s representatives at the offices of the Sonoma County Community Development Commission. Written notice of the time, place and date of the meeting should be arranged within 48 working hours of the notice of rent increase. If the park owners and tenants fail to agree on the time, place and date of the hearing within that 48-hour span and provide due notice to the Clerk, the meeting shall be set at the convenience of the Clerk. At the meeting, representatives of the parties should exchange documentary evidence that the parties in good faith then know will be used to support their respective positions in an arbitration and discuss the issues in dispute. In the case of a park owner, all financial data upon which any proposed increase is claimed shall be supplied to tenant representatives at the time of the meet-and-confer meeting.

- 1. *Sanctions.* A park owner’s failure to provide the minimum information required by this chapter set forth under subsection [\(A\)\(2\)](#) of this section or attend the hearing shall require the Clerk to suspend further proceedings under this chapter. The park owner’s application for a rent increase under such circumstances shall be deemed defective, without force or effect, and deemed withdrawn. Re-noticing of the increase shall be required to reinstate an application for rent increase.
- 2. *Minimum Meet-and-Confer Information.* The park owner has a duty to provide adequate information to the tenants regarding the park’s net operating income sufficient for a reasonably sophisticated inquiry into the financial status of the park owner’s business. This will consist of true and accurate book entries or other competent evidence of gross income including, but not limited to, gross rent interest upon security and

cleaning deposits, income from ancillary services (sub-metering of utilities, laundry facilities, etc.) and true and accurate book entries or other competent evidence of operating expenses including, but not limited to, license fees, property taxes, utilities, insurance, management expenses, landlord performed labor, building and grounds maintenance, legal fees, auto and truck expenses, employee benefits, permits, refuse removal, ground lease payments, and similar additional expenses.

B. *Petition.* If discussions between owner and tenants do not resolve the dispute between them, the tenants or their representative shall file with the Clerk a petition for space rent review and a copy of the notice of rent increase, if available, within 30 days of the date upon which the rent increase notice was received. The Clerk shall not accept a petition for filing unless it has been signed by at least 51 percent of all affected tenants. Upon the filing of a petition, the rent increase is not effective and may not be collected until and to the extent it is awarded by an arbitrator or until the petition is abandoned. As used herein, the term “abandoned” refers to lack of prosecution of the arbitration by the mobile home tenants’ representative(s). An automatic arbitration based upon a 300 percent CPI increase will not require active tenant prosecution, although such prosecution will not be prohibited. The term “prosecution” refers to actively pursuing necessary steps toward preparing the tenants’ case for the arbitration hearing.

C. *Contents of Petition.*

1. The petition for space rent review shall set forth the total number of affected rented spaces in the mobile home park, shall identify the space occupied by each tenant and shall state the date upon which the notice of the rent increase was received by the tenant(s).

2. After obtaining the required signatures, the tenant(s) shall deliver the petition or mail it by registered or certified mail to the Clerk at the following address: P.O. Box 1776, Sebastopol, California, 95473-1776 (or successor address or agency). No petition shall be accepted unless it is accompanied by the requisite number of signatures and is received in the office of the Clerk within the 21-day period set forth in subsection [B](#) of this section. The Clerk shall provide a copy of the completed petition form to both parties and the arbitrator forthwith or within five working days.

D. *Information Questionnaire.* After the Clerk has accepted a petition for space rent review, the Clerk shall remit to the owner and tenants an information questionnaire in such form as the Clerk may prescribe. The completed information questionnaire must be returned to the Clerk at least five working days prior to the date scheduled for hearing of the petition by the arbitrator. Copies of the completed information questionnaire shall be provided to the arbitrator and the opposing party.

E. *Assignment of Arbitrator and Hearing Date.* Upon receipt of the petition, or in the event of an automatic arbitration, or upon an affected tenant’s claim of a vacancy control violation where an unauthorized rent increase has been sought, the Clerk shall set a date for the arbitration hearing no sooner than five nor later than 10 working days after the arbitrator is assigned. The owner and affected tenant(s) shall be notified immediately in writing by the Clerk of the date, time and place of the hearing and this notice shall be served either in person or by ordinary mail.

F. *Arbitration Hearing.*

1. The owner and tenant(s) may appear at the hearing and offer oral and documentary evidence. Both the owner and tenant(s) may designate a representative or representatives to appear for them at the hearing. The arbitrator may grant or order one continuance for not more than five days from the date of the initial hearing. The burden of proving that the amount of rent increase is reasonable shall be on the owner by a preponderance of the evidence. The hearing need not be conducted according to technical rules relating to evidence and witnesses. The rules of evidence and manner of producing evidence shall be those rules set forth in Section [11513](#) of the California Government Code for the conduct of hearings under the Administrative Procedure Act. These rules may be relaxed at the discretion of the arbitrator in the interests of justice.
2. The arbitrator shall, within 14 days of the hearing, submit by mail a written statement of decision and the reasons for the decision to the Clerk who shall forthwith distribute by mail copies of the decision to the owner and tenant(s). The arbitrator shall determine the amount of rent increase, if any, which is reasonable based upon all the provisions of this chapter.
3. The arbitrator shall not allow more than one rent increase per park per 12-month period.
4. The decision of the arbitrator, rendered in accordance with this section, shall be final and binding upon the owner and all affected tenants. The decision of the arbitrator will be subject to the provision of Code of Civil Procedure Section [1094.5](#).
5. Any party may have electronic recording equipment or a court reporter present to record and prepare a transcript of the hearing before the arbitrator; however, such equipment or reporter shall be provided at that party's own expense.
6. The arbitrator is authorized to modify the basic time periods set forth herein at his or her discretion to promote the purposes of this program provided a final decision is rendered within 90 days of the notice of rent increase.
7. Any procedural or jurisdictional dispute regarding the processes set forth herein may be decided by the arbitrator.

**9.28.080 Rights of a tenant-to-be.**

Any person who is a "tenant-to-be" as defined in SMC [9.28.030](#) must be offered the option of renting a mobile home space in manner which will permit the tenant-to-be to receive the benefits of the mobile home space rent stabilization program which includes, but is not limited to, rental of a mobile home space on a month-to-month basis and a new base rent as set forth in SMC [9.28.230](#). Such a person cannot be denied the option of a tenancy 12 months or less in duration. The park owner shall provide each tenant-to-be with a written notification of the option which shall make the following recitation:



UNDER SEBASTOPOL ORDINANCE NO. \_\_\_\_\_, SECTION VIII YOU ARE LEGALLY ENTITLED TO ELECT A MONTH-TO-MONTH TENANCY OVER ANY OTHER LONGER PERIODIC TENANCY. YOU ARE ADVISED THAT YOU MAY NOT BE ENTITLED TO RENT STABILIZATION (RENT CONTROL) PROGRAM BENEFITS IF YOU ELECT A LEASE OF MORE THAN TWELVE MONTHS IN DURATION IF THAT LEASE MEETS THE REQUIREMENT OF CIVIL CODE §[17200](#) WHICH HAS BEEN ATTACHED HERETO.

Any effort to circumvent the requirements of this section shall be unlawful, as well as unfair business practice subject to enforcement under Business and Professions Code Section [17200](#) et seq.

### **9.28.090 Subpoena power.**

Subpoenas, including subpoenas duces tecum, requiring a person to attend a particular time and place to testify as a witness, may be issued in connection with any dispute pending before an arbitrator, and shall be issued at the request of the Clerk, an arbitrator, the tenant(s) or the owner. Subpoenas shall be issued and attested by the Clerk of the City Council. A subpoena duces tecum shall be issued only upon the filing with the Clerk of the City Council of an affidavit showing good cause for the production of the matters of things desired to be produced, setting forth in full detail the materiality thereof to the issues involved in the proceedings, and stating that the witness has the desired matters or things in his or her possession or under his or her control, and a copy of such affidavit shall be served with the subpoena. Any subpoena or subpoena duces tecum issued pursuant to the provisions of this chapter may be served in person or by certified mail, before the hearing for which the attendance is sought. Service by certified mail shall be complete on the date of receipt. Any subpoena or subpoena duces tecum issued pursuant to the provisions of this chapter shall be deemed issued by and in the name of the Sebastopol City Council.

### **9.28.100 Consolidation of petitions.**

As soon as possible after a petition has been filed with respect to mobile home spaces which are within a single park, the Clerk shall, to the extent possible, consistent with the time limitation provided herein, consolidate petitions involving 10 or fewer affected tenants.

### **9.28.110 Standards of review.**

In evaluating the space increase proposed or imposed by the owner, the following factors may be considered:

- A. Beneficial increases in maintenance and operating expenses, including but not limited to the reasonable value of the owner's labor and any increased costs for services provided by a public agency, public utility, or quasi-public agency or utility; provided, however, that any increased costs in rent stabilization administration fees shall be subject to the provisions of SMC [9.28.050\(B\)](#) and [9.28.170](#).

- B. The substantial rehabilitation of the addition of capital improvements, including the reasonable value of the owner's labor, as long as such rehabilitation or improvement has been completed and is:
1. Distinguished from ordinary repair or maintenance;
  2. For the primary benefit, use, and enjoyment of the tenants;
  3. Permanently fixed in place or relatively immobile and dedicated to the use of the property;
  4. Not coin-operated nor one for which a use fee or other charge is imposed on tenants for its use;
  5. Cost-factored and amortized over the good faith estimate of the remaining useful life of the rehabilitation or improvement; and
  6. Does not constitute maintenance of the infrastructure of gas or electrical lines within the mobile home park for which the public utility has permitted the park owner a special premium with the intent that it be used to replace or otherwise maintain the system within the mobile home park.
- C. Increased costs of debt service due to a sale or involuntary refinancing of the park within 12 months of the increase; provided, that:
1. The sale or refinancing is found to have been an arm's length transaction;
  2. The proceeds of such refinancing is found to have been used for park improvements or similar park-related uses;
  3. The aggregate amount from which total debt service costs arise constitutes no more than 70 percent of the value of the property as established by a lender's appraisal.
- D. The rental history of the space or the park of which it is a part, including:
1. The presence or absence of past increases;
  2. The frequency of past rent increases; and
  3. The occupancy rate of the park in comparison to comparable parks in the same general area.
- E. The physical condition of the mobile home space or park of which it is a part, including the quantity and quality of maintenance and repairs performed during the preceding 12 months.
- F. Any increase or reduction of housing services since the last rent increase.
- G. Existing space rents for comparable spaces in comparable parks.
- H. A decrease in "net operating income" defined in SMC [9.28.120\(A\)](#).
- I. A fair return on the property prorated among the spaces of the park.
- J. Other financial information which the owner is willing to provide.

K. Any costs incurred as a result of a natural disaster and only to the extent such costs have not been reimbursed to the owner by insurance or other sources.

**9.28.120 Net operating income.**

In evaluating a space rent increase imposed by an owner to maintain the owner’s net operating income from the park, the following definitions and provisions shall apply:

A. “Net operating income” of mobile home park means the gross income of the park less the operating expenses of the park.

B. “Gross income” means the sum of the following:

1. Gross space rents, computed as gross space rental income at 100 percent occupancy; plus
2. Other income generated as a result of the operation of the park, including, but not limited to, fees for services actually rendered; plus
3. Revenue received by the park owner from the sale of gas and electricity to park residents where such utilities are billed individually to the park residents by the park owner. This revenue shall equal the total cost of the utilities to the residents minus the amount paid by the park owner for such utilities to the utility provider; minus
4. Uncollected space rents due to vacancy and bad debts to the extent that the same are beyond the park owner’s control. Uncollected space rents in excess of three percent of gross space rent shall be presumed to be unreasonable unless established otherwise and shall not be included in computing gross income. Where uncollected space rents must be estimated, the average of the preceding three years’ experience shall be used.

C. “Operating expenses” means:

1. Real property taxes and assessments.
2. Utility costs to the extent that they are included in space rent.
3. Management expenses including the compensation of administrative personnel, including the value of any mobile home space offered as part of compensation for such services, reasonable and necessary advertising to ensure occupancy only, legal and accounting services as permitted herein, and other managerial expenses. Management expenses are presumed to be not more than five percent of gross income, unless established otherwise.
4. Normal repair and maintenance expenses for the grounds and common facilities including but not limited to landscaping, cleaning, and repair of equipment and facilities.
5. Owner-performed labor in operating or maintaining the park. In addition to the management expenses listed above, where the owner performs managerial or maintenance services which are uncompensated, the

owner may include the reasonable value of such services. Owner-performed labor shall be limited to five percent of gross income unless the arbitrator finds that such a limitation would be substantially unfair in a given case. A park owner must devote substantially all of his or her time, that is, at least 40 hours per week, to performing such managerial or maintenance services in order to warrant the full five percent credit for his or her labor as an operating expense. No credit for such services shall be authorized unless a park owner documents the hours utilized in performing such services and the nature of the services provided.

6. Operating supplies such as janitorial supplies, gardening supplies, stationery, and so forth.
7. Insurance premiums prorated over the life of the policy.
8. Other taxes, fees, and permits, except as provided in SMC [9.28.170](#).
9. Reserves for replacement of long-term improvements or facilities; provided, that accumulated reserves shall not exceed five percent of gross income.
10. Necessary capital improvement costs exceeding existing reserves for replacement. A park owner may include the cost of necessary capital improvement expenditures which would exceed existing reserves for replacement. A necessary capital improvement shall be an improvement required to maintain the common facilities and areas of the park in a decent, safe, and sanitary condition or to maintain the existing level of park amenities and services. Expenditures for necessary capital improvements to upgrade existing facilities shall be an allowable operating expense only if the park owner has:

- a. Consulted with the park residents prior to initiating construction of the improvements regarding the nature and purpose of the improvements and the estimated cost of the improvements.
- b. Obtained the prior written consent of at least one adult resident from a majority of the mobile home spaces to include the cost of the improvements as an operating expense. Evidence of such consent must be presented at the time of filing the application seeking to include such a capital improvement as an operating expense.
- c. Any capital improvement expenses shall be amortized over the reasonable life of the improvement or such other period as may be deemed reasonable by the arbitrator under the circumstances. In the event that the capital improvement expenditure is necessitated as a result of an accident, disaster, or other event for which the park owner received insurance benefits, only those capital improvement costs otherwise allowable exceeding the insurance benefits may be calculated as operating expenses.

11. Involuntary refinancing of mortgage or debt principal. A park owner may, under the provisions of this subsection, be able to include certain debt service costs as an operating expense. Such costs are limited to increases in interest payments from those interest payments made during 1986 or the first year such payments were made if the owner acquired the park after 1986 which result from one of the following situations or the equivalent thereof:

- a. Refinancing of the outstanding principal owed for the acquisition of a park where such refinancing is mandated by the terms of a financing transaction entered into prior to January 1, 1987, for instance, termination of a loan with a balloon payment; or

b. Increased interest costs incurred as a result of a variable interest rate loan used to finance the acquisition of the park and entered into prior to January 1, 1987.

In refinancing, increased interest shall be permitted to be considered as an operating expense only where the park owner can show that the terms of the refinancing were reasonable and consistent with prudent business practices under the circumstances.

D. Operating expenses shall not include the following:

1. Debt service expenses, except as provided in subsection [\(C\)\(11\)](#) of this section.
2. Depreciation.
3. Any expense for which the park owner is reimbursed.
4. Attorneys' fees and costs, except printing costs and documentation as required by SMC [9.28.060](#), incurred in proceedings before an arbitrator or in connection with legal proceedings challenging the decision of an arbitrator or the validity or applicability of this chapter.

E. All operating expenses must be reasonable. Whenever a particular expense exceeds the normal industry or other comparable standard, the park owner shall bear the burden of providing the reasonableness of the expense. To the extent that an arbitrator finds any such expense to be unreasonable, the arbitrator shall adjust the expense to reflect the normal industry or other comparable standard.

### 9.28.130 Obligations of the parties.

A. If a final decision by an arbitrator finds that a proposed increase or any portion thereof that was previously inoperative is justified, the tenant shall pay the amount found justified to the owner within 30 days after the decision is made.

B. If a final decision by an arbitrator finds that an increase or any portion thereof is not justified, the owner shall refund any amount found to be unjustified, but that had been paid, to the tenant within 30 days after the decision is made. If such refund is not made within the said 30 days, the tenant may withhold the amount from the next space rent(s) due until the full amount of the refund has been made. Notwithstanding the foregoing, in the event that the tenancy of tenant is terminated for any reason prior to full credit against rent, the balance of the credit due the tenant shall be paid by the owner within 30 days from the date of the termination of the tenancy.

C. Any sum of money that under the provisions of this section is the obligation of the owner or tenant, as the case may be, shall constitute a debt and, subject to the foregoing provisions of this section, may be collected in any manner provided by law for the collection of debts.

### **9.28.140 Tenant's right of refusal.**

A tenant may refuse to pay any increase in rent which is in violation of this chapter, provided a petition has been filed and either no final decision has been reached by an arbitrator, or the increase has been determined to violate the provisions of this chapter. Such refusal to pay shall be a defense in any action brought to recover possession of a mobile home space or to collect the rent increase.

### **9.28.150 Retaliatory acts – Tenant's right to organize.**

No owner may retaliate against a tenant or tenant-to-be for the tenant's or tenant-to-be's assertion or exercise of rights under this chapter in any manner, including, but not limited to, threatening to bring or bringing an action to recover possession of a mobile home space, engaging in any form of harassment that causes a tenant to quit the premises, dissuades a tenant-to-be from freely exercising his or her legal options to choose a month-to-month rental, decreasing housing services, increasing the space rent, or imposing or increasing a security deposit or any other charge payable by a tenant. The tenants have a right to organize a tenant's association without hindrance from the park owner to exercise the rights provided under the provisions of the Sonoma County Code. This association may be referred to as "the Park Tenant's Association at (Park Name)."

### **9.28.160 Solicitation of any petitions by the park owners are without force or legal effect within County's program.**

The distribution of a petition or other documents seeking to have mobile home tenants waive rights, abandon a filed petition or in any way affect the entitlement of the tenants to participate in the rent stabilization process authorized under the Sonoma County Code shall be without force or legal effect within County's rent stabilization program. Such documents shall not affect the right of any tenant to participate in the rights, remedies, procedures and processes set forth in this code. Efforts to utilize such documents to discourage participation in the County's rent stabilization program may be deemed retaliatory.

### **9.28.170 Fees.**

The costs of administration of this chapter shall be borne by the City of Sebastopol, subject to reimbursement of the City General Fund by imposition of a rent stabilization administration fee chargeable against each mobile home space in the City. The park owner who pays these fees may pass through 50 percent of the fees assessed against a mobile home space to the tenant only as set forth herein. This fee pass-through must take place no later than 12 months after the park owner is billed for the program administration fees. Failure to timely pass through 50 percent of the fees assessed against mobile home space will result in the loss of the park owner's right to do so. The remaining 50 percent of the fees assessed against a mobile home space shall not be passed on in any way to tenants.

Fees passed through to tenants as herein authorized shall not be considered a part of the rent base upon which future rent increases can be made.

The fees imposed by this section shall be paid annually. The time and manner of payment, delinquency status, and assessment and collection of penalties for delinquent payment of the fees imposed by this section shall be as provided by separate resolution of the City Council. The Clerk shall recommend to the City of Sebastopol from time to time the amount of such fee and City Council shall adopt such fee by ordinance or resolution.

### **9.28.180 Exemption from fees.**

Any park owner who believes that s/he may be entitled to a space fee exemption pursuant to Civil Code Section [798.17\(b\)](#), having provided the park tenant with a legally recognized long-term lease which is not subject to rent stabilization administration fees, shall provide the Clerk with the following documentation:

- A. The executed lease for each exempt space claimed;
- B. Amendments to said exempt lease, if any;
- C. For a newly constructed space, proof that the space was constructed after January 1, 1990 (building permits, etc.).

### **9.28.190 Nonwaiverability.**

Any provision, whether oral or written, in or pertaining to a rental agreement whereby any provision of this chapter is waived or modified, is against public policy and void, except with respect to any rental agreement complying with all of the terms and conditions set forth in Section [798.17](#) of the California Civil Code (as amended 1986).

### **9.28.200 Penalties and remedies.**

In addition to those penalties and remedies set forth elsewhere in this chapter, the following remedies shall apply:

Any owner who demands, accepts, receives, or retains any money as rent from a tenant to which the owner is not entitled under the provisions of this chapter shall be liable to the tenant for any actual damages, attorney's fees, and costs incurred by the tenant as a consequence thereof plus a penalty in the sum of three times the amount of money the owner accepted, received, or retained in violation of the provisions of this chapter, or \$500.00, whichever is greater.

### **9.28.210 Review by the City Council.**

The City Council shall review the effectiveness of this chapter in addressing the problems giving rise to its enactment at least one year from its enactment. Notice of the time and place of the City Council's review shall be published at least 10 days prior to said date in a newspaper of general circulation in the City of Sebastopol.

### **9.28.230 Vacancy control – Establishment of new base rent.**

A. A mobile home park owner shall be permitted to charge a new base rent for a mobile home space whenever a lawful space vacancy occurs. For purposes of this chapter, a lawful space vacancy is defined as follows:

1. A vacancy occurring because of the termination of the tenancy of the affected mobile home tenant in accordance with the Mobile Home Residency Law, California Civil Code Sections [798.55](#) through [798.60](#).
2. A vacancy of the mobile home space arising from the voluntary removal of a mobile home from the mobile home space by the affected mobile home tenant. A removal of the mobile home from the space for the purpose of performing rehabilitation or capital improvements to the space or for the purpose of upgrading the mobile home shall not constitute a voluntary removal of the mobile home.

B. When a new base rent is established following the vacancy of mobile home space pursuant to this section, the park owner shall give written notice to the new affected mobile home tenant of 12-month anniversary date for rent increases allowed under SMC [9.28.050](#) and shall give written notice to such affected tenant that the space rent may be subject to stabilized rent increases pursuant to the provisions of this chapter.

C. In the absence of a lawful vacancy, a park owner is prohibited from raising rent upon a sale of a mobile home on site to a tenant-to-be or current tenant.

### **9.28.240 When recreation vehicle space tenants are to be treated as "affected tenants."**

Any recreational vehicle space that is occupied by a recreational vehicle as defined in Civil Code Section [799.24](#) for a period in excess of nine months on or after October 1, 1991, shall be regarded as a "mobile home space" for purposes of this chapter, and a tenant upon such a space shall be entitled to all the rights, protections and obligations of this chapter. Such a space tenant shall be counted as an "affected tenant" upon the effective date of the ordinance codified in this chapter, and said space shall be subject to the fees authorized by the City Council for mobile home spaces. The space tenant and the recreational vehicle park owner shall apportion the fee in the manner authorized for mobile home spaces subject to this chapter generally.



### 9.28.260 Legal challenge.

If an injunction or any other administrative or judicial challenge interferes with the timely implementation of this chapter before the lapse of the five-year term of the City's original rent stabilization ordinance, the City Council hereby declares that it ordains that said original rent stabilization ordinance (Ordinance No. 897) shall not sunset but be continued indefinitely until said challenge is overcome. This action is undertaken so that at least the existing and current level of rent stabilization projection established pursuant to Ordinance No. 897 shall continue to be provided to the affected mobile home park tenants of Sebastopol until further action of the City Council.

---

**The Sebastopol Municipal Code is current through Ordinance 1142, and legislation passed through May 17, 2022.**

Disclaimer: The City Clerk's Office has the official version of the Sebastopol Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.ci.sebastopol.ca.us](http://www.ci.sebastopol.ca.us)

[Code Publishing Company](#)

Date

Sebastopol City Council  
7120 Bodega Avenue  
Sebastopol, CA 95472

Dear City Council Members:

My name is *Terry Levi*. I live in Fircrest Senior Mobile Home Park at [REDACTED] (insert address). I have lived here for 5 years and have enjoyed this community and its affordability.

As you know, residents here own their homes and rent the spaces they sit on. Rents here increase every year based on the rate of inflation. When I moved here my space rent was \_\_\_\_\_. I'm currently paying \_\_\_\_\_.

I am a senior on a fixed income and I'm concerned that I will eventually be priced out of my home, especially if inflation continues as it has in the past year or two. I don't know where else I could afford to live in Sonoma County or anywhere in California for that matter.

Please help retain the affordability of Fircrest Senior Mobile Home Park by amending the Rent Stabilization Ordinance to limit annual rent increases to no more than 50% of the Bay Area Consumer Price Index with a cap of 4%. Several other jurisdictions in the County have already made this type of adjustment.

Thank you for whatever you can do to help.

Sincerely,

[REDACTED SIGNATURE]

Received

MAR 1 2023

City of Sebastopol  
Admin Services- Finance



965 GRAVENSTEIN HWY. SOUTH  
SEBASTOPOL, CA 95472

President: Roger Sherman  
Vice-President: Andy Bunnell

Treasurer: Vimlan VanDien  
Secretary: Pam Gentry

March 13, 2023

Sebastopol City Council  
7120 Bodega Ave.  
Sebastopol, CA 95472

Dear City Council:

Please find enclosed a petition signed by 88 residents of Fircrest Senior Mobile Home Park. (FMHP has 83 spaces.) The purpose of the petition is to request that the Sebastopol City Council amend the current Rent Stabilization Ordinance (9.28) to lower the annual and maximum space rent increases allowable by law.

I believe this issue is scheduled to be on the agenda for your meeting on April 4. We ask that, in the interest of maintaining at least some affordable housing in Sebastopol, you approve our request.

Thank you for your consideration of this matter.

Sincerely,

Pam Gentry, Secretary, on behalf of the FHOA Board and FMHP Residents



965 GRAVENSTEIN HWY. SOUTH  
SEBASTOPOL, CA 95472

President: Roger Sherman  
Vice-President: Andy Bunnell

Treasurer: Vimlan VanDien  
Secretary: Pam Gentry

**PETITION TO THE CITY OF SEBASTOPOL**  
**REQUEST FOR AMENDMENT OF THE MOBILE HOME RENT STABILIZATION ORDINANCE**  
**February 11, 2023**

Given that the current Sebastopol Municipal Code Rent Stabilization Ordinance (9.28) has not been significantly updated in over 30 years and the Bay Area Consumer Price Index (CPI) currently used as the basis for annual mobile home rent increases does not reflect the agricultural and rural economy of this area, we, the undersigned residents of Fircrest Mobile Home Park, request that the City of Sebastopol amend the Sebastopol Mobile Home Rent Stabilization Ordinance 9.28 to codify annual mobile home space rent increases to equal 50% of the CPI with a maximum of 4%. Many jurisdictions across California use only a percentage of the CPI. Even the City and County of San Francisco limit rent increases to 60% of the annual CPI. Both the cities of Santa Rosa and Windsor have recently adjusted their maximum yearly rental increases to 4%. Inflation has hit seniors very hard and, even though mobile home parks are one of the few affordable living alternatives, seniors on fixed incomes could still be priced out of their homes. We seniors need your support for this amendment. Thank You.

SIGNATURE	PRINTED NAME	ADDRESS
[Redacted]	Christine Hince	[Redacted]
[Redacted]	Paul Brady	[Redacted]
[Redacted]	Louise Damato	[Redacted]
[Redacted]	Ruth Baker	[Redacted]
[Redacted]	Diane Huest	[Redacted]
[Redacted]	S. Lynn Jones	[Redacted]
[Redacted]	Elizabeth Fleming	[Redacted]
[Redacted]	Mary Miller Brady	[Redacted]
[Redacted]	JAMES ALYN	[Redacted]
[Redacted]	STAR ALYN	[Redacted]
[Redacted]	Clare Seche	[Redacted]
[Redacted]	CHERE ALI	[Redacted]



**PETITION TO THE CITY OF SEBASTOPOL**  
**REQUEST FOR AMENDMENT OF THE MOBILE HOME RENT STABILIZATION ORDINANCE**

Given that the current Sebastopol Municipal Code Rent Stabilization Ordinance (9.28) has not been significantly updated in over 30 years and the Bay Area Consumer Price Index (CPI) currently used as the basis for annual mobile home rent increases does not reflect the agricultural and rural economy of this area, we, the undersigned residents of Fircrest Senior Mobile Home Park, request that the City of Sebastopol amend the Sebastopol Mobile Home Rent Stabilization Ordinance 9.28 to codify annual mobile home space rent increases to equal 50% of the CPI with a maximum of 4%. Many jurisdictions across California use only a percentage of the CPI. Even the City and County of San Francisco limit rent increases to 60% of the annual CPI. Both the cities of Santa Rosa and Windsor have recently adjusted their maximum yearly rental increases to 4%. Inflation has hit seniors very hard and, even though mobile home parks are one of the few affordable living alternatives, seniors on fixed incomes could still be priced out of their homes. We seniors need your support for this amendment. Thank You.

SIGNATURE	PRINTED NAME	ADDRESS
	Kelly Cutler	
	Kathleen Evans	
	Monica Smith-Bran	
	Ellen Hopkins	
	PAT McAWAIN	
	Roger Marlowe /	
	STEVE SARTAIN	
	Marilyn Madrone	
	Karin P. Lease	
	ANDREW BUNWEL	
Heidi Chretien		

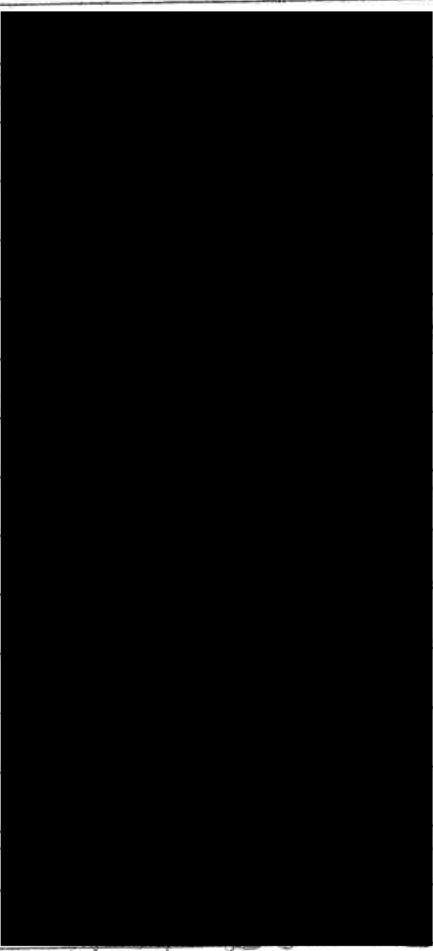

**PETITION TO THE CITY OF SEBASTOPOL  
REQUEST FOR AMENDMENT OF MOBILE HOME RENT STABILIZATION ORDINANCE**

Given that the current Sebastopol Municipal Code Rent Stabilization Ordinance (9.28) has not been significantly updated in over 30 years and the Bay Area Consumer Price Index (CPI) currently used as the basis for annual mobile home rent increases does not reflect the agricultural and rural economy of this area, we, the undersigned residents of Fircrest Senior Mobile Home Park, request that the City of Sebastopol amend the Sebastopol Mobile Home Rent Stabilization Ordinance 9.28 to codify annual mobile home space rent increases to equal 50% of the CPI with a maximum of 4%. Many jurisdictions across California use only a percentage of the CPI. Even the City and County of San Francisco limit rent increases to 60% of the annual CPI. Both the cities of Santa Rosa and Windsor have recently adjusted their maximum yearly rental increases to 4%. Inflation has hit seniors very hard and, even though mobile home parks are one of the few affordable living alternatives, seniors on fixed incomes could still be priced out of their homes. We seniors need your support for this amendment. Thank You.

SIGNATURE	PRINTED NAME	ADDRESS
	MARCIA HINCE	
	Pearl Sarah Bates	
	Judith Krozak	
	Sabrina Sandiland	
	MARTHA WOODS	
	Terry Levi	
	Larry Nejedleman	
	ROBERT B. MOREY	
	DORIS STRECH	
	ED LARK	
	KATHLEEN A. ROACH	
	SUSAN SNOGRASS	
	Pamela Gentry	

**PETITION TO THE CITY OF SEBASTOPOL**  
**REQUEST FOR AMENDMENT OF THE MOBILE HOME RENT STABILIZATION ORDINANCE**

Given that the current Sebastopol Municipal Code Rent Stabilization Ordinance (9.28) has not been significantly updated in over 30 years and the Bay Area Consumer Price Index (CPI) currently used as the basis for annual mobile home rent increases does not reflect the agricultural and rural economy of this area, we, the undersigned residents of Fircrest Senior Mobile Home Park, request that the City of Sebastopol amend the Sebastopol Mobile Home Rent Stabilization Ordinance 9.28 to codify annual mobile home space rent increases to equal 50% of the CPI with a maximum of 4%. Many jurisdictions across California use only a percentage of the CPI. Even the City and County of San Francisco limit rent increases to 60% of the annual CPI. Both the cities of Santa Rosa and Windsor have recently adjusted their maximum yearly rental increases to 4%. Inflation has hit seniors very hard and, even though mobile home parks are one of the few affordable living alternatives, seniors on fixed incomes could still be priced out of their homes. We seniors need your support for this amendment. Thank You.

	SIGNATURE	PRINTED NAME	ADDRESS
1.		Jeanne Buckens	
2.		JAMES PASCHAL	
3.		DAVID FULGHUM	
4.		Ernie Ward	
5.		Sandra Jones	
6.		Mrs ELIZABETH Wissemann	
7.		MARY HORTON	
8.		LOUISE J. BELLE	
9.		Suzanne E. Wright	
10.		Christina E Lundgren	
11.		PAUL LUNDGREN	
12.		FRANLEIGH ORME	
13.		DIANE HARNISH	
14.		CHRIS HARNISH	
15.		ROGER SHERMAN	
16.		Lisa Frank	



**PETITION TO THE CITY OF SEBASTOPOL**  
**REQUEST FOR AMENDMENT OF MOBILE HOME RENT STABILIZATION ORDINANCE**

**SIGNATURE**

Given that the current Sebastopol Municipal Code Rent Stabilization Ordinance (9.28) has not been significantly updated in over 30 years and the Bay Area Consumer Price Index (CPI) currently used as the basis for annual mobile home rent increases does not reflect the agricultural and rural economy of this area, we, the undersigned residents of Fircrest Senior Mobile Home Park, request that the City of Sebastopol amend the Sebastopol Mobile Home Rent Stabilization Ordinance 9.28 to codify annual mobile home space rent increases to equal 50% of the CPI with a maximum of 4%. Many jurisdictions across California use only a percentage of the CPI. Even the City and County of San Francisco limit rent increases to 60% of the annual CPI. Both the cities of Santa Rosa and Windsor have recently adjusted their maximum yearly rental increases to 4%. Inflation has hit seniors very hard and, even though mobile home parks are one of the few affordable living alternatives, seniors on fixed incomes could still be priced out of their homes. We seniors need your support for this amendment. Thank You.

**SIGNATURE**

**PRINTED NAME**

**ADDRESS**

SIGNATURE	PRINTED NAME	ADDRESS
	Elisa Barbo	
	Tom Julien	
	Hilary Moore	
	Doris Madden	
	Alben	
	Bette Piental	
	Jeanette Pito	
	Margaret E. Copuey	
	Vinlan Van Dien	
	Candy Riddell	
	ROSEMARY DEVITT	
	Elizabeth Goncalves	
	Frank Popworth	

**PETITION TO THE CITY OF SEBASTOPOL  
REQUEST FOR AMENDMENT OF MOBILE HOME RENT STABILIZATION ORDINANCE**

Given that the current Sebastopol Municipal Code Rent Stabilization Ordinance (9.28) has not been significantly updated in over 30 years and the Bay Area Consumer Price Index (CPI) currently used as the basis for annual mobile home rent increases does not reflect the agricultural and rural economy of this area, we, the undersigned residents of Fircrest Senior Mobile Home Park, request that the City of Sebastopol amend the Sebastopol Mobile Home Rent Stabilization Ordinance 9.28 to codify annual mobile home space rent increases to equal 50% of the CPI with a maximum of 4%. Many jurisdictions across California use only a percentage of the CPI. Even the City and County of San Francisco limit rent increases to 60% of the annual CPI. Both the cities of Santa Rosa and Windsor have recently adjusted their maximum yearly rental increases to 4%. Inflation has hit seniors very hard and, even though mobile home parks are one of the few affordable living alternatives, seniors on fixed incomes could still be priced out of their homes. We seniors need your support for this amendment. Thank You.

**SIGNATURE**

**PRINTED NAME**

**ADDRESS**

	GAIL M. FORMAN	
	Hal FORMAN	
	PHILIP SALUZZO	
	Teresa Saluzzo	
	Eileen Sanford	
	Mary Jo Miller	
	MARTHA ROSE	
	Kirby Brylins	
	Joyce Kilanzo	
	Thorn Filippelli	
	elizabeth bissonnette	
	k@sonomaview.com	
Ross Rosenblatt		
EMILY WEBSTER		
Timothy WEBSTER		
Marisa DeJoseph		
Hope Silverdale		
Lorna Tartorigi		



PETITION TO THE CITY OF SEBASTOPOL  
REQUEST FOR AMENDMENT OF THE MOBILE HOME RENT STABILIZATION ORDINANCE

Given that the current Sebastopol Municipal Code Rent Stabilization Ordinance (9.28) has not been significantly updated in over 30 years and the Bay Area Consumer Price Index (CPI) currently used as the basis for annual mobile home rent increases does not reflect the agricultural and rural economy of this area, we, the undersigned residents of Fircrest Senior Mobile Home Park, request that the City of Sebastopol amend the Sebastopol Mobile Home Rent Stabilization Ordinance 9.28 to codify annual mobile home space rent increases to equal 50% of the CPI with a maximum of 4%. Many jurisdictions across California use only a percentage of the CPI. Even the City and County of San Francisco limit rent increases to 60% of the annual CPI. Both the cities of Santa Rosa and Windsor have recently adjusted their maximum yearly rental increases to 4%. Inflation has hit seniors very hard and, even though mobile home parks are one of the few affordable living alternatives, seniors on fixed incomes could still be priced out of their homes. We seniors need your support for this amendment. Thank You.

SIGNATURE	PRINTED NAME	ADDRESS # 86
[REDACTED]	DENNIS HECK	[REDACTED]
	KAREN HECK	

Date

Sebastopol City Council  
7120 Bodega Avenue  
Sebastopol, CA 95472

Dear City Council Members:

My name is Karin Hease. I live in Fircrest Senior Mobile Home Park at [REDACTED] (insert address). I have lived here for 105 years and have enjoyed this community and its affordability.

As you know, residents here own their homes and rent the spaces they sit on. Rents here increase every year based on the rate of inflation. When I moved here my space rent was 810.24. I'm currently paying 836.17.

I am a senior on a fixed income and I'm concerned that I will eventually be priced out of my home, especially if inflation continues as it has in the past year or two. I don't know where else I could afford to live in Sonoma County or anywhere in California for that matter.

Please help retain the affordability of Fircrest Senior Mobile Home Park by amending the Rent Stabilization Ordinance to limit annual rent increases to no more than 50% of the Bay Area Consumer Price Index with a cap of 4%. Several other jurisdictions in the County have already made this type of adjustment.

Thank you for whatever you can do to help.

Sincerely,

3/12/23

SEBASTOPOL CITY COUNCIL  
7120 BODEGA AVE  
SEBASTOPOL CA 95472

Received

MAR 15 2023

City of Sebastopol  
Admin Services- Finance

DEAR COUNCIL MEMBERS,

I LIVE AT FIRCREST MOBILE HOME PARK AT [REDACTED] + LOVE IT HERE. WE PARTLY MOVED BECAUSE IT WAS AFFORDABLE + I'M GETTING READY TO RETIRE FROM YEARS OF BEING A SOCIAL WORKER.

I AM SUPER CONCERNED W/ RENT INCREASES! WE STARTED OUT PAYING \$810 AND IT HAS ALREADY GONE UP TO \$836. THIS IS VERY SCARY FOR MY WIFE + I + MANY/MOST/ALL OTHERS. WE MOVED HERE THINKING THIS IS THE COMMUNITY THAT WE WANT TO LIVE OUT OUR LIVES IN! TO THINK THAT THIS MAY NOT BE POSSIBLE FOR US + OTHERS IS HORRIFYING!

PLEASE PLEASE HELP RETAIN THE AFFORDABILITY OF FMHP! I KNOW THAT YOU ARE AN UNDERSTANDING COMPASSIONATE BUNCH SO PLEASE VOTE TO AMEND THE RENT STABILIZATION ORDINANCE TO LIMIT RENT INCREASES TO 4%.

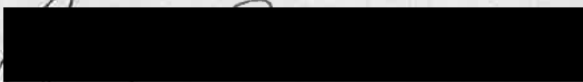
MORE THAN 50% OF THE BAY AREA  
CONSUMER PRICE INDEX W/ A CAP of 4%!  
YOU ARE OUR TRUSTED LEADERS +  
I KNOW/TRUST THAT YOU WILL FOLLOW  
THE LEAD of OTHER JURISDICTIONS  
THAT HAVE ALREADY SUPPORTED SENIORS  
+ MADE AN ADJUSTMENT.

I APPLAUD YOUR EFFORTS +  
WILL CONTINUE TO SUPPORT.

WE LOVE SEASIDEPOC + SO  
APPRECIATE OUR CIVIC / COMMUNITY  
MINDED COUNCIL,

ALL THE BEST, SPRING IS COMING  
+ HOPE TO SEE YOU SOON.

SINCERELY,



Date 3/15/23

Sebastopol City Council  
7120 Bodega Avenue  
Sebastopol, CA 95472

Dear City Council Members:

My name is DIHUP SALIZZO. I live in Fircrest Senior Mobile Home Park at [redacted] (insert address). I have lived here for 5 years and have enjoyed this community and its affordability.

As you know, residents here own their homes and rent the spaces they sit on. Rents here increase every year based on the rate of inflation. When I moved here my space rent was \$640.14. I'm currently paying \$701.28.

I am a senior on a fixed income and I'm concerned that I will eventually be priced out of my home, especially if inflation continues as it has in the past year or two. I don't know where else I could afford to live in Sonoma County or anywhere in California for that matter.

Please help retain the affordability of Fircrest Senior Mobile Home Park by amending the Rent Stabilization Ordinance to limit annual rent increases to no more than 50% of the Bay Area Consumer Price Index with a cap of 4%. Several other jurisdictions in the County have already made this type of adjustment.

Thank you for whatever you can do to help.

Sincerely,

[redacted signature]

Received

MAR 20 2023

City of Sebastopol  
Admin Services- Finance



Date 3/15/23

Sebastopol City Council  
7120 Bodega Avenue  
Sebastopol, CA 95472

Dear City Council Members:

My name is Terena Salazar. I live in Fircrest Senior Mobile Home Park at [redacted] (insert address). I have lived here for 5 years and have enjoyed this community and its affordability.

As you know, residents here own their homes and rent the spaces they sit on. Rents here increase every year based on the rate of inflation. When I moved here my space rent was 640.14. I'm currently paying 701.18.

I am a senior on a fixed income and I'm concerned that I will eventually be priced out of my home, especially if inflation continues as it has in the past year or two. I don't know where else I could afford to live in Sonoma County or anywhere in California for that matter.

Please help retain the affordability of Fircrest Senior Mobile Home Park by amending the Rent Stabilization Ordinance to limit annual rent increases to no more than 50% of the Bay Area Consumer Price Index with a cap of 4%. Several other jurisdictions in the County have already made this type of adjustment.

Thank you for whatever you can do to help.

Sincerely,  
[redacted signature]

Received

MAR 20 2023

City of Sebastopol  
Admin Services- Finance

**From:** [REDACTED]  
**To:** [City Council](#)  
**Cc:** [REDACTED]  
**Subject:** Rent Stabilization Ordinance  
**Date:** Tuesday, March 14, 2023 4:55:56 PM

---

Dear City Council Members,

I'm 80 years old and I've lived in Sebastopol for 49 years. For the past four years I've resided at Fircrest Mobile Home Park. Currently this is the only place in Sebastopol that I can afford to live (which is not to say that I don't love living here). However, if something isn't done to curb rent increases, at some point I may not be able to afford even this. The problem is that Sebastopol's current Rent Stabilization Ordinance allows rents to increase dramatically during an inflation. Because we get a rent increase every year, those dramatic increases are compounded. Even when the CPI drops again, not only don't our rents drop, but that compounding effect has its influence on rent increases in perpetuity.

I am urging you to please consider amending Sebastopol's Rent Stabilization Ordinance so that the last reasonably priced living situation in Sebastopol doesn't drive us out of our homes.

Thank you for all that you do,

Larry Needleman

[REDACTED]  
Sebastopol, CA 95472 [REDACTED]

**From:** [REDACTED]  
**To:** [City Council](#)  
**Subject:** Rent Stabilization Ordinance  
**Date:** Sunday, March 19, 2023 10:17:50 PM

---

**Pamela Gentry**  
[REDACTED]  
**Sebastopol, CA 95472**

March 19, 2023

Sebastopol City Council  
7120 Bodega Ave.  
Sebastopol, CA 95472

Dear City Council Members:

I appreciate that you are planning to consider the request from Fircrest Homeowners' Association to amend the current Rent Stabilization Ordinance, which has not been updated in many years. As you know, the current rules allow mobilehome space rents to be increased annually based on the Bay Area Consumer Price Index with a maximum of 6%. Because inflation has been fairly low until recently, this formula seemed reasonable. However, given the recent levels of inflation, this level of rent increase is no longer tenable for low-income seniors in this park.

I have lived at Fircrest Mobilehome Park since 2014. When I moved here, my space rent was \$570 per month. Currently, it is \$707 with an anticipated 6% increase in August to \$750. (Rents here are increased annually according to the initial month of residency.) According to my calculations, this amounts to a 32% rent increase over the course of my tenancy. Because of my concern that I could eventually be priced out of this park, I applied for affordable housing at Burbank Heights in 2017 and have been on their waitlist ever since. Unfortunately, that waitlist has been closed for years and I'm concerned that some of my neighbors may not have other affordable options as the rents here continue to climb.

I hope that you will grant us our request to amend Sebastopol's Rent Stabilization Ordinance to allow for annual space rent increases of 50% of the Bay Area CPI with a cap of 4%. In doing so, you will help to maintain Fircrest Mobilehome Park as one of the few affordable housing options in Sebastopol.

Sincerely,

Pam Gentry, Resident  
Fircrest Senior Mobilehome Park

March 12, 2023

Sebastopol City Council  
7120 Bodega Avenue  
Sebastopol, CA 95472

Dear City Council Members:

My name is Vimlan VanDien. I live in Fircrest Senior Mobile Home Park at [REDACTED] Sebastopol, CA 95472. I have lived here, off and on, for five years and have enjoyed this community and its affordability.

As you know, residents here own their homes and rent the spaces they sit on. Rents here increase every year based on the rate of inflation. I am a senior on a fixed income and I'm concerned that I will eventually be priced out of my home, especially if inflation continues as it has in the past year or two. I don't know where else I could afford to live in Sonoma County or anywhere in California for that matter.

Please help retain the affordability of Fircrest Senior Mobile Home Park by amending the Rent Stabilization Ordinance to limit annual rent increases to no more than 50% of the Bay Area Consumer Price Index with a cap of 4%. Several other jurisdictions in the County have already made this type of adjustment.

Thank you for whatever you can do to help.

Sincerely,

[REDACTED]

Vimlan VanDien

Received

MAR 20 2023

City of Sebastopol  
Admin Services- Finance

17 March 2023

Sebastopol City Council  
7120 Bodega Ave.,  
Sebastopol, CA 95472

Dear Sebastopol City Council,

I am a resident at Fircrest Mobile Home Park. I am an older adult. I have owned my home in this Senior Park since 2015. My space rent has increased every single year since I've resided here. I've been notified that my rent is increasing 6% on June 1, 2023. I will be paying **30% more** now than when I first moved here.

Sebastopol needs to amend its mobile home rent control ordinance to align with other Sonoma County community mobile home rent control ordinances. Mobile homes in mobile home parks provide an important alternative form of housing for a significant number of residents. Mobile homes represent a more affordable form of shelter. This is especially true for older adults living on fixed Social Security or other retirement incomes. Mobile homes represent true affordable housing and need to be preserved as affordable. There is a great need to prevent excessive and unreasonable rent increases in mobile home parks.

There are 87 spaces at Fircrest Mobile Home Park. If the average monthly rent is \$700, then the Park collects \$60,900 every month. This amounts to \$730,800 annually. How much profit should this Park expect to make on the backs of its senior residents? A 6% annual increase means at least another \$43,848 each year for the Park. Sebastopol city council needs to protect the diversity of its community with citizens of varied income levels. This diversity includes people who live in affordable housing. Please help preserve the ability for people of all income levels to reside in the town of Sebastopol, thank you.

[Redacted]

Kathleen Roach

[Redacted]

Sebastopol, CA 95472

Received

MAR 20 2023

City of Sebastopol  
Admin Services- Finance

Date: Feb 26, 2023

Sebastopol City Council  
7120 Bodega Avenue  
Sebastopol, CA 95472

Dear City Council Members:

My name is Hope Silvera. I live in Fircrest Senior Mobile Home Park at [REDACTED] (insert address). I have lived here for 12 years and have enjoyed this community and its affordability.

As you know, residents here own their homes and rent the spaces they sit on. Rents here increase every year based on the rate of inflation. When I moved here my space rent was 535.?; I'm currently paying 759.80.

I am a senior on a fixed income and I'm concerned that I will eventually be priced out of my home, especially if inflation continues as it has in the past year or two. I don't know where else I could afford to live in Sonoma County or anywhere in California for that matter.

Please help retain the affordability of Fircrest Senior Mobile Home Park by amending the Rent Stabilization Ordinance to limit annual rent increases to no more than 50% of the Bay Area Consumer Price Index with a cap of 4%. Several other jurisdictions in the County have already made this type of adjustment.

Thank you for whatever you can do to help.

Sincerely,

Received

MAR 20 2023

City of Sebastopol  
Admin Services- Finance

March 13,2023

Sebastopol City Council  
7120 Bodega Avenue  
Sebastopol, CA 95472

Dear City Council Members:

My name is Pat McAlvain. I live in Fircrest Senior Mobile Home Park at [REDACTED] Sebastopol. I have lived here for 14 years and have enjoyed this community and its affordability.

As you know, residents here own their homes and rent the spaces they sit on. Rents here increase every year based on the rate of inflation. When I moved here my space rent was \$613.41 per month. I'm currently paying \$867.35 space rent plus sewer and water. About 2 years ago PG&E installed our current gas and electric utilities and they are currently running over \$400.00 per month and I to have both CARE and base medical adjustments.

I am a senior on a fixed income and I'm concerned that I will eventually be priced out of my home, especially if inflation continues as it has in the past year or two. I don't know where else I could afford to live in Sonoma County or anywhere in California for that matter.

Please help retain the affordability of Fircrest Senior Mobile Home Park by amending the Rent Stabilization Ordinance to limit annual rent increases to no more than 50% of the Bay Area Consumer Price Index with a cap of 4%. Several other jurisdictions in the County have already made this type of adjustment.

Thank you for whatever you can do to help.

Sincerely,

[REDACTED]

Received

MAR 16 2023

City of Sebastopol  
Admin Services- Finance

March 13,2023

Sebastopol City Council  
7120 Bodega Avenue  
Sebastopol, CA 95472

Dear City Council Members:

My name is Pat McAlvain. I live in Fircrest Senior Mobile Home Park at [REDACTED] Ave, Sebastopol. I have lived here for 14 years and have enjoyed this community and its affordability.

As you know, residents here own their homes and rent the spaces they sit on. Rents here increase every year based on the rate of inflation. When I moved here my space rent was \$613.41 per month. I'm currently paying \$867.35 space rent plus sewer and water. About 2 years ago PG&E installed our current gas and electric utilities and they are currently running over \$400.00 per month and I to have both CARE and base medical adjustments.

I am a senior on a fixed income and I'm concerned that I will eventually be priced out of my home, especially if inflation continues as it has in the past year or two. I don't know where else I could afford to live in Sonoma County or anywhere in California for that matter.

Please help retain the affordability of Fircrest Senior Mobile Home Park by amending the Rent Stabilization Ordinance to limit annual rent increases to no more than 50% of the Bay Area Consumer Price Index with a cap of 4%. Several other jurisdictions in the County have already made this type of adjustment.

Thank you for whatever you can do to help.


Sincerely,



Date: 3-20-23

Sebastopol City Council  
7120 Bodega Avenue  
Sebastopol, CA 95472

Dear City Council Members:

My name is Regina Jimenez. I live in Fircrest Senior Mobile Home Park at  (insert address). I have lived here for 7 years and have enjoyed this community and its affordability.

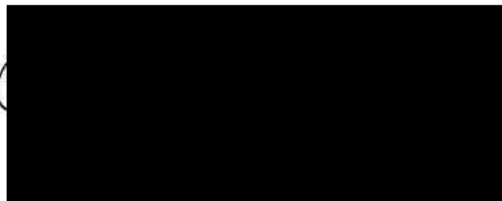
As you know, residents here own their homes and rent the spaces they sit on. Rents here increase every year based on the rate of inflation. When I moved here my space rent was \$746.09. I'm currently paying \$924.67.

I am a senior on a fixed income and I'm concerned that I will eventually be priced out of my home, especially if inflation continues as it has in the past year or two. I don't know where else I could afford to live in Sonoma County or anywhere in California for that matter.

Please help retain the affordability of Fircrest Senior Mobile Home Park by amending the Rent Stabilization Ordinance to limit annual rent increases to no more than 50% of the Bay Area Consumer Price Index with a cap of 4%. Several other jurisdictions in the County have already made this type of adjustment.

Thank you for whatever you can do to help.

Sincerely,



Received

MAR 22 2023

City of Sebastopol  
Admin Services- Finance

**From:** [REDACTED]  
**To:** [City Council](#)  
**Subject:** Please help us seniors!  
**Date:** Wednesday, March 22, 2023 6:10:30 PM

---

March 22, 2023

Sebastopol City Council  
7120 Bodega Avenue  
Sebastopol, CA 95472

Dear City Council Members:

My name is Jeanne Buckens and I live at [REDACTED]  
[REDACTED] in the Fircrest Senior Mobile Home  
Park. When I first moved in four years ago, the rent  
was \$825.95. It is now close to \$1000. I was  
expecting rent increases, but not at the rate they are  
going.

I am a senior on a fixed income and I'm concerned  
that I will eventually be priced out of my home,  
especially if inflation continues as it has in the past  
year or two. I have lived in Sebastopol since 2001 and  
love it here. I have no idea where I could go.

Please help retain the affordability of Fircrest Senior  
Mobile Home Park by amending the Rent Stabilization  
Ordinance to limit annual rent increases to no more

than 50% of the Bay Area Consumer Price Index with a cap of 4%. Several other jurisdictions in the County have already made this type of adjustment.

Thank you for whatever you can do to help.

Sincerely,

Jeanne Buckens

**From:** [REDACTED]  
**Subject:** Rent Stabilization Letter Fircrest Mobile Home Park  
**Date:** Friday, March 24, 2023 1:45:57 PM

---

Date March 24, 2023

Sebastopol City Council  
7120 Bodega Avenue  
Sebastopol, CA 95472

Dear City Council Members:

My name is Kehaulani Filippelli. I live in Fircrest Senior Mobile Home Park at [REDACTED], Sebastopol CA 95472 I have lived here for one and a half years and have enjoyed this community and its affordability. In fact that is what partially drew me to this community. In 2020 I did a trial retirement and found that I did not have enough income to retire as I had originally thought. That is when I decided to find a sustainable option for me and my husband going forward into retirement. Fircrest checked all the boxes we were looking for in our housing community. Nice homes owned by the residents and space rent which we pay to the park. This is a wonderful small community where we all know each other and look out for each other.

I had to return to work and work part time to build up my retirement savings a bit more to afford this county and have a good life. Not an extravagant life but a good life. Fircrest Mobile Home Park plays an important role in my good life. The cost of rent is very affordable for me now and going forward. I want to spend the rest of my life in this community and to do so I rely on knowing how much that life will cost.

I am worried that with the rising cost of inflation which our rental increases are based on will get too high and I will now longer be able to afford my good life.

Myself and my neighbors on fixed incomes cannot take on the high space rent increases we are currently seeing and will see in the future of inflation.

Please help retain the affordability of Fircrest Senior Mobile Home Park by amending the Rent Stabilization Ordinance to limit annual rent increases to no more than 50% of the Bay Area Consumer Price Index with a cap of 4%. Several other jurisdictions in the County have already made this type of adjustment.

Thank you for whatever you can do to help.

Sincerely,

Kehaulani Filippelli FCMHP



From: [REDACTED]  
To: [City Council](#)  
Subject: Fircrest MHPark - rent stabiiization  
Date: Sunday, March 26, 2023 10:38:19 PM

---

Dear Members of the Sebastopol City Council,

I am writing with a concern for the recent steep hike planned for space rent in Fircrest Mobilehome Park.

I have been living within the city limits of Sebastopol since November, 1997, in Fircrest Mobilehome Park which allowed me to live on my modest earnings in the local public schools, and since pandemic limitations starting March 2020, on my modest fixed income of Social Security and very small small teacher's retirement. Mobilehome parks are one of the few cherished options for affordable housing and let's keep them so.

Growing up decades ago, I learned that when rent (or mortgage payment ) exceeded 25% of net income, there will be a struggle to make ends meet.

**My current space rent already amounts to nearly half of my monthly income.**

In Fircrest MHPark there are others for whom the space rent is a tight squeeze and they have had to take out loans, or a reverse mortgage.

At age 83, I find myself each year needing more and more paid household help to maintain my health, plus dental care and to maintain and repair my home. And that's several hundreds of dollars per month, at times over \$1,000. My mobility has become a challenge, with balance precarious and limb strength and stamina noticeably diminished these past five years. Hiring help takes a bigger chunk out of my income every year. Thank goodness for the reviving of Repairing Together, Sebastopol to handle a few of my amassed and neglected problems in the home!

Here is a sketch of how **space rent hikes on my home have doubled** since I moved in:

first space rent, November , 1998 \$372.58  
In Sept., 2022 an increase of 3.2%  
from the previous year \$703.23  
Effective October, 2022 \$725.73  
next month April , 2023 \$725.73

I am concerned that the next space rent increase will cause me great stress. I am on my own, have elevated blood pressure.

I am asking that the Rent Stabilization Ordinance be amended as other jurisdictions in the County have done, to allow for an increase of 50% of the Bay Area Consumer Price Index with a cap of 4%.

Thank you for doing the best possible for us seniors.

Sincerely,

Marilyn Madrone

