



Department of Housing

RENTAL RIGHTS & REFERRALS

December 1, 2009

RE: Mobilehome Rent Ordinance Summary

Dear Interested Party:

Enclosed is a Summary of the San José Mobilehome Rent Ordinance. This is being provided to you because you are a mobilehome owner; a mobilehome park owner/manager; or a dealer, agent or broker of mobilehomes.

The Ordinance Summary informs owners and buyers of the provisions of the Mobilehome Rent Ordinance, and provides them with information they need in making a decision related to a long term lease for a mobilehome space (which might not be covered by the Ordinance). The City's ordinance requires distribution of the enclosed Ordinance Summary to all mobilehome owners and prospective mobilehome buyers.

Annually, mobilehome park owners/managers are required to give a copy of the Summary to each park resident by **February 1st**. Mobilehome owners are required by the Ordinance to provide a copy of this Summary to prospective buyers. Mobilehome dealers, agents, and brokers can assist their clients by providing a copy of this Summary to prospective buyers.

Please contact Mobilehome Program staff, Theresa Ramos at (408) 975-4475 if you have questions concerning this letter, the Ordinance Summary, or the requirements of the Mobilehome Rent Ordinance.

Sincerely,

Vivian Frelix-Hart
Rental Rights & Referrals Program
Division Manager, Special Projects

Enclosure

RENTAL RIGHTS AND REFERRALS

December 1, 2009

TO: CURRENT AND PROSPECTIVE MOBILEHOME PARK RESIDENTS

There is a rent ordinance for mobilehomes and mobilehome lots in the City of San José and the highlights of the ordinance are summarized below.

Prospective Mobilehome Owners: If you sign a lease with a mobilehome park for a period in excess of twelve months, YOUR SPACE MAY NOT BE COVERED BY THE SAN JOSÉ MOBILEHOME RENT CONTROL ORDINANCE for the term of the agreement.

The following is offered as a summary only and complete information may be obtained from the ordinance itself. For more information you are encouraged to contact Program staff as described below.

UNDER THE ORDINANCE

1. Each park has an "anniversary date" on which mobilehome owners may receive a rent increase.
2. Limits are set on an annual rent increases are based on 75% of the San Francisco-Oakland Consumer Price Index (CPI). The annual rent increase limit may range between 3% and 7%. For the period of October 1, 2009 through September 30, 2010, the maximum rent increase is 3%. If rents have not been increased for more than 24 months, rents may then be increased by the total of the annual rent increases for the current and previous year. Any higher increases must be determined by a hearing officer at an administrative hearing arranged by the City of San José.
3. Other rent increases are prohibited, with certain exceptions in the case of an in-place sale or transfer of the mobilehome. These exceptions include the court-ordered eviction of the seller, and when the mobilehome lot is subject to certain long-term leases. Any exceptions may be verified with the Rental Rights and Referrals Program.
4. Mobilehome park owners are required to keep all financial records from 1985, which is the base year per the ordinance. These records may be necessary for determining making a net operating income. Failure to keep these records may result in the loss of the ability to obtain a rent increase in excess of the annual rent increase.

The City of San José Mobilehome Rent Ordinance is supplemental to the STATE OF CALIFORNIA CIVIL CODE, Section 798 through 799.6 of the Mobilehome Residency Law, which you should read.

The ordinance, entitled: MOBILEHOME RENT ORDINANCE is Chapter 17.22 of the San José Municipal Code. Copies of the ordinance and regulations that accompany it may be obtained from the Rental Rights and Referrals Program. Program staff is available to assist you at:

City Hall, Housing, Rental Rights and Referrals Program
200 East Santa Clara Street, San José, CA 95113-1905
(408) 975-4480

Notice: Current mobilehome owners are required by SJMC 17.22.1055 to provide a copy of this document to prospective buyers of their mobilehome.