



*Department of Housing*

**RENTAL RIGHTS AND REFERRAL PROGRAM**

December 2, 2011

RE: Mobilehome Rent Ordinance Summary

Dear Interested Party:

Enclosed is a summary of the City of San José, Mobilehome Rent Ordinance Chapter 17.22. 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 enclosed summary provides information on allowable rent increases under the Mobilehome Rent Ordinance and their applicability to residents who sign a long term lease for their mobilehome space. The City's ordinance requires distribution of the enclosed summary to all mobilehome owners, mobilehome park owners/managers, and dealers, agents or brokers of mobilehomes and disclosed to all prospective buyers, annually by February 1<sup>st</sup>.

If you have any questions regarding this letter, please contact Program staff, Theresa Ramos at (408) 975-4475.

Sincerely,

Jessica Scheiner  
Rental Rights & Referrals Program Manager

Enclosure

**RENTAL RIGHTS AND REFERRALS**

December 2, 2011

**TO: CURRENT AND PROSPECTIVE MOBILEHOME PARK RESIDENTS**

Prospective Mobilehome residents/owners: If you sign a Long Term Lease (in excess of twelve months) with a mobilehome park, YOUR SPACE **WILL NOT** BE COVERED BY THE CITY OF SAN JOSÉ, MOBILEHOME RENT ORDINANCE (Ordinance) for the term of the agreement.

The Ordinance regulates rent increases in San José's mobilehome parks. The following information is offered as only a summary. Complete information may be obtained by contacting Theresa Ramos at (408) 975-4475 or visit: [www.sjhousing.org/program/rentalrights.html](http://www.sjhousing.org/program/rentalrights.html).

**UNDER THE ORDINANCE**

1. Each park has an "anniversary date" on which mobilehome park owners may increase space rents.
2. The Ordinance limits annual rent increases to 75% of the San Francisco-Oakland Consumer Price Index (CPI) with a minimum of 3% and maximum of 7%. For the period of October 1, 2011 through September 30, 2012, the maximum that mobilehome park owners can increase rents is 3%. If rents have not been increased for more than 24 months, they may be increased by the combined total of the allowable annual rent increases for the current and previous year. Any increases above these amounts must be determined by a hearing officer at an administrative hearing arranged by the City of San José.
3. Exemptions to the above rent increase rules include: the in-place sale or transfer of a mobilehome, court-ordered evictions of the seller, and mobilehome lots 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, the base year per the Ordinance for determining the net operating income used in Administrative Hearings to determine allowable rent increases beyond that allowed by the Ordinance. Failure to keep these records may result in the inability of park owners to increase space rents.

The San José Municipal Code Chapter 17.22 (Mobilehome Rent Ordinance) is supplemental to the STATE OF CALIFORNIA CIVIL CODE, Section 798 through 799.6 (Mobilehome Residency Law). Copies of the Mobilehome Rent Ordinance and Regulations may be obtained from the Rental Rights and Referrals Program located at:

City Hall, Housing, Rental Rights and Referrals Program  
200 East Santa Clara Street, San José, CA 95113-1905  
[www.sjhousing.org/program/rentalrights.html](http://www.sjhousing.org/program/rentalrights.html)  
(408) 975-4475

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