

RENTAL HOUSING COMMITTEE
RESOLUTION NO. RHC - ...
SERIES 2022

A RESOLUTION OF THE RENTAL HOUSING COMMITTEE OF MOUNTAIN VIEW
ADOPTING REGULATIONS CHAPTER 8 AND 9
OF THE MOBILE HOME RENT STABILIZATION ORDINANCE (MHRSO)

WHEREAS, MHRSO sections 46.9 and 46.10c authorize the Rental Housing Committee to establish rules and regulations for administration and enforcement of the MHRSO, and

WHEREAS, the Rental Housing Committee has held a publicly noticed meeting on January 24, 2022, and solicited input regarding the regulations for Banking in the Procedures for Annual General Adjustments, and New and Additional Occupants; and

NOW, THEREFORE, BE IT RESOLVED by the Rental Housing Committee that the following Regulations are hereby adopted:

MHRSO Regulations Chapter 8 – Banking in Procedures for Annual General Adjustments as set forth in Exhibit A

MHRSO Regulations Chapter 9 – New and Additional Occupants as set forth in Exhibit B

Mobile Home Rent Stabilization Ordinance

**CHAPTER 8
PROCEDURES FOR ANNUAL GENERAL ADJUSTMENTS****A. Purpose**

The Mobile Home Rent Stabilization Ordinance ("MHRSO") guarantees that Park Owners and Mobile Home Landlords are entitled to earn a fair rate of return from a property. The MHRSO authorizes Park Owners and Mobile Home Landlords to seek rent increases via the Annual General Adjustment ("AGA"), identified in MHRSO Section 46.6, as well as via a Petition for Upward Adjustment of Rent. Subsection (d) of MHRSO Section 46.6 authorizes a Park Owner or Mobile Home Landlord to accumulate one or more AGAs to be implemented at a later date. Subsection (e) of MHRSO Section 45.5, Subsection (d) of MHRSO Section 46.6 and Subsections (a)(1) through (a)(3) of MHRSO Section 46.9 authorize the Rental Housing Committee to issue rules and regulations related to the rent increases, AGAs, banking, and Owner or Tenant hardships.

B. Notices

1. Mandatory Notice to Mobile Home Owner or Mobile Home Tenant with Rent Increase Notice. In addition to the notice requirement identified in California Civil Code Section 798.30 (for Mobile Home Spaces) or California Civil Code Section 827 (for Mobile Homes), or any successor legislation, any notice requesting an increase in Rent must include a form notice to Mobile Home Owners and Mobile Home Tenants regarding the MHRSO in substantially the same form as the form notice published by the Rental Housing Committee as it may be updated from time to time.

2. Banked AGA.

Mandatory Notice to Mobile Home Owner or Mobile Home Tenant. In addition to the notice requirement identified in California Civil Code Section 798.30 (for Mobile Home Spaces) or California Civil Code Section 827 (for Mobile Homes), or any successor legislation, any notice requesting an increase in Rent greater than the AGA identified for the current calendar year must include the following:

- a. Identification of the requested increase in monthly Rent due, including the actual increase as well as calculation of the dollar increase as a

percentage of the Rent due immediately prior to the imposition of the proposed Rent increase; and

- b. The following text, in at least 12-point font (if notice is printed):

“The rent increase requested in this notice exceeds the annual general adjustment authorized for the current year. Park Owners and Mobile Home Landlords may save (“bank”) annual general adjustments that were not imposed in previous years and implement them with the current annual general adjustment in accordance with the Mobile Home Rent Stabilization Ordinance, Section 46.6, and implementing regulations. Rent may only be increased once every twelve (12) months, and rent increases cannot exceed ten percent (10%) of the rent actually charged in the previous year. Mobile Home Owners and Mobile Home Tenants have the right to petition the Rental Housing Committee (RHC) for relief if this rent increase will cause an undue hardship. The RHC defines a hardship based on either household income or if the household spends fifty percent (50%) or more of household income on rent, with specific definitions for households with children, seniors, or persons with disabilities or who are terminally ill. If you believe the rent increase requested in this notice is incorrect, excessive, or causes an undue hardship, you can: (a) contact your landlord to discuss the increase; and/or (b) file a petition with the RHC. For more information about petitions or the hardship process, contact the Mountain View Rental Housing Helpline at 650-282-2514 or CSFRA@housing.org.”

3. Notice to City. A copy of any notice required by this Section B of Chapter 8 must be submitted to the City within seven (7) days of delivery to a Mobile Home Owner or Mobile Home Tenant.
4. Application. This Section B of Chapter 8 is not applicable to Rent increases authorized by the Decision of a Hearing Officer or the Rental Housing Committee pursuant to a Petition for Upward Adjustment of Rent in accordance with MHRSO Section 46.10(a).

C. Mobile Home Owner or Mobile Home Tenant Hardship

Any Mobile Home Owner or Mobile Home Tenant household receiving a notice requesting an increase in Rent greater than the Annual General Adjustment identified for the current calendar year may claim that the requested increase would cause an undue hardship on the Mobile Home Owner or Mobile Home Tenant household and request relief, in accordance with this Section C of Chapter 8.

1. Petition Required. Any Mobile Home Owner or Mobile Home Tenant claiming a hardship must do so on a form provided by the Rental Housing Committee, with supporting documentation as described in Subsection (C)(2) of this Chapter 8.
 - a. Contents of Petition. The hardship Petition must: (i) be submitted on a form provided by the Rental Housing Committee; (ii) clearly identify the hardship claimed under Subsection (C)(2) of this Chapter 8; and (iii) provide adequate supporting documentation of the hardship as described in Subsection (C)(2) of this Chapter 8.
 - b. Petition Due Date. Hardship Petitions should be submitted as early as possible after receipt by the Mobile Home Owner or Mobile Home Tenant of a notice of rent increase to allow for potential relief. Hardship Petitions must be received within ten (10) calendar days of the effective date of a rent increase. Hardship Petitions received after the effective date of a rent increase cannot alter the first month of the requested rent increase. Hardship Petitions received more than ten (10) calendar days after the effective date of the requested rent increase will be rejected.
 - c. Burden of Proof. No relief can be granted to a Hardship Petition unless it is supported by the preponderance of the evidence supporting the claimed hardship.
2. Hardship Conditions Defined. Any Mobile Home Owner or Mobile Home Tenant household claiming a hardship must verifiably demonstrate that one (1) or more of the following conditions apply to either one (1) or more persons in the household or to the household generally (as specified below). For purposes of defining a hardship, household income means the gross income received in the previous twelve (12) months from all household members over age eighteen (18).
 - a. Inadequate Household Income. Any household whose household income does not exceed one hundred percent (100%) of the median household income for Santa Clara County as adjusted for household size according to the California Department of Housing and Community Development, or that spends more than fifty percent (50%) of the household's income on Rent, shall be presumed a hardship.
 - b. Families with Children. Any household: (i) whose household income does not exceed one hundred twenty percent (120%) of the median household income for Santa Clara County as adjusted for household size according to the California Department of Housing and Community

Development, or that spends more than fifty percent (50%) of the household's income on Rent; and (ii) which household is the primary residence of one (1) or more dependent children under the age of eighteen (18) shall be presumed a hardship.

- c. Senior Household. Any household: (i) whose household income does not exceed one hundred twenty percent (120%) of the median household income for Santa Clara County as adjusted for household size according to the California Department of Housing and Community Development, or that spends more than fifty percent (50%) of the household's income on Rent; and (ii) which household is the primary residence for one (1) or more persons who are at least sixty-two (62) years of age shall be presumed a hardship.
- d. Persons with Disabilities. Any household: (i) whose household income does not exceed one hundred twenty percent (120%) of the median household income for Santa Clara County as adjusted for household size according to the California Department of Housing and Community Development, or that spends more than fifty percent (50%) of the household's income on Rent; and (ii) which household is the primary residence for one (1) or more persons with a disability, as defined in Section 12955.3 of the Government Code, shall be presumed a hardship.
- e. Persons who Are Terminally Ill. Any household: (i) whose household income does not exceed one hundred twenty percent (120%) of the median household income for Santa Clara County as adjusted for household size according to the California Department of Housing and Community Development, or that spends more than fifty percent (50%) of the household's income on Rent; and (ii) which household is the primary residence for one (1) or more persons who are terminally ill, as confirmed in writing by the individual's licensed medical care provider, shall be presumed a hardship.
- f. Other Hardship. Any household: (i) whose household income does not exceed one hundred twenty percent (120%) of the median household income for Santa Clara County as adjusted for household size according to the California Department of Housing and Community Development; and (ii) which household does not qualify under the definitions of hardship included in Subsections (C)(2)(a) through (C)(2)(e) of this Chapter 8; and (iii) which household demonstrates other extenuating circumstances may request such circumstances be considered hardship for purposes of Subsection (C)(6) of this Chapter 8.

3. Petition Process. Within fourteen (14) days of submission to the Rental Housing Committee of a Petition and documentation supporting eligibility, as described in Section C of this Chapter 8, the Rental Housing Committee shall notify the Petitioner of acceptance of the Petition or inform the Petitioner why the Petition has not been accepted. Staff shall not assess the adequacy of any documentation supporting eligibility but shall refuse acceptance of a Petition submitted without a document that purportedly supports a finding of Mobile Home Owner or Mobile Home Tenant hardship. One (1) document may be submitted to support more than one (1) eligibility criterion identified in Subsection (C)(2). Each notice of acceptance must identify the date of the scheduled Uncontested Hearing, as described in Section (C)(5) of this Chapter 8 and provide a brief explanation of the procedures for the Hearing and the potential outcome of the Hardship Petition.
 - a. Effective Rent During Pendency of Hardship Petition. Prior to submission of a Petition, the Mobile Home Owner or Mobile Home Tenant remains liable for all Rent lawfully due. Upon acceptance of a Petition claiming a Mobile Home Owner or Mobile Home Tenant hardship by the Rental Housing Committee, the Mobile Home Owner or Mobile Home Tenant household shall be liable for and pay to the Park Owner or Mobile Home Landlord on the normal due date the amount of Rent that would be due notwithstanding the notice of Rent increase for which the hardship was claimed (e.g., the Mobile Home Owner or Mobile Home Tenant may hold the difference between the regular Rent and increased Rent during the pendency of a Hardship Petition). However, acceptance of the Petition by the Rental Housing Committee does not automatically grant any requested relief from or response to a proposed Rent increase. Each Decision regarding a rejected Petition will require the Mobile Home Owner or Mobile Home Tenant to pay the Park Owner or Mobile Home Landlord the total requested Rent from the date the increase would have taken effect as if the hardship were not claimed; a Hearing Officer may allow repayment of lawfully withheld difference in Rent over the course of more than one (1) month.
 - b. Notice of Acceptance. Upon acceptance, the Rental Housing Committee shall provide a written notice of acceptance to each Park Owner or Mobile Home Landlord potentially affected by the Petition. The written notice of acceptance provided to a potentially affected Park Owner or Mobile Home Landlord shall inform the Park Owner or Mobile Home Landlord of their right to respond to the Petition and include a copy of the completed Petition; supporting documentation submitted by the Petitioner shall be made available for review upon request.

- c. Prehearing Settlement Conferences Encouraged. Upon acceptance, the Rental Housing Committee shall encourage the Petitioner and each Park Owner or Mobile Home Landlord potentially affected by the Petition to voluntarily participate in a Prehearing Settlement Conference, as described in Section N of Chapter 5.

4. Park Owner or Mobile Home Landlord Response. Each Park Owner or Mobile Home Landlord potentially affected by a Petition submitted in accordance with this Chapter 8 may take any combination of the following actions within thirty (30) calendar days of acceptance of a Petition by the Rental Housing Committee. An action described in Subsections (C)(4)(a) and (C)(4)(b) shall be considered a "Park Owner or Mobile Home Landlord Response" for purposes of Subsection (C)(5) of this Chapter 8.
 - a. Request a Hearing before a Hearing Officer on a form provided by the Rental Housing Committee to either contest the alleged hardship eligibility of the Mobile Home Owner, or Mobile Home Tenant, or household thereof, or propose an alternate means of relief; and/or
 - b. File a Petition for Upward Adjustment in accordance with MHRSO Section 46.10(a); and/or
 - c. Withdraw the proposed Rent increase; and/or
 - d. Elect not to challenge the Petition and await the Decision of the Hearing Officer.

5. Hearing. Upon acceptance by the Rental Housing Committee, each Petition submitted under this Chapter 8 shall be scheduled for Hearing by a Hearing Officer to be held between thirty (30) and sixty (60) calendar days from the date the Notice of Acceptance is sent.
 - a. Burden of Proof. No Petition submitted under this Chapter 8 shall be granted unless supported by a preponderance of the evidence submitted prior to and at the Hearing.
 - b. Uncontested Hearing. If no Park Owner or Mobile Home Landlord Response is received and the noticed Rent increase is not withdrawn within thirty (30) calendar days of the notice of acceptance by the Rental Housing Committee, then a Hearing on the Petition will be held by a Hearing Officer on the date identified in the notice of acceptance of the Petition.

- i. *Hearing.* During the Hearing, the Hearing Officer must review the adequacy of the Petition and supporting documentation in light of the burden of proof identified in and in accordance with this Chapter 7.
 - ii. *Decision.* Within fourteen (14) calendar days from the date of the Hearing, the Hearing Officer must issue a written Decision either confirming the hardship petition by granting one (1) or more forms of relief identified in Subsection (C)(3) or rejecting the hardship Petition, which Decision shall include: findings of fact and conclusions of law that support the Decision. If the Decision rejects the hardship Petition, then the Decision must provide for the payment to the Park Owner or Mobile Home Landlord of any Rent held by the Mobile Home Owner or Mobile Home Tenant during the pendency of the hardship Petition.
 - iii. *Appeal.* The Decision of the Hearing Officer shall be final unless the Petitioner or an affected Park Owner or Mobile Home Landlord files a timely appeal to the Rental Housing Committee in accordance with Regulation Chapter 6, Section (H).
 - c. Contested Hearing. If a Park Owner or Mobile Home Landlord Response is received within thirty (30) calendar days of the notice of acceptance by the Rental Housing Committee, then a new Hearing shall be scheduled for a date no later than thirty (30) calendar days of receipt by the Rental Housing Committee of the Park Owner or Mobile Home Landlord Response. A Hearing for a Petition under this Chapter 8 for which a Park Owner or Mobile Home Landlord Response has been received shall be held in accordance with Regulation Chapter 6, Subsection C(3) through Regulation Chapter 6, Section H, and Chapter 6 shall govern the Hearing, Decision, and Appeal procedures.
 - d. Withdrawal. If a Park Owner or Mobile Home Landlord withdraws the noticed Rent increase, the hardship Petition shall be deemed withdrawn and a notice of withdrawal shall be delivered to the Petitioner and Park Owner or Mobile Home Landlord.
6. Relief from Hardship. Upon demonstrating the existence of one (1) or more hardship conditions identified in Subsection (C)(2), a Hearing Officer shall consider the household's hardship condition as one (1) factor when determining whether and to what extent any of the potential relief identified by this Subsection (C)(6) is appropriate. Any relief granted under this Subsection (C)(6) must be documented by the Decision of a Hearing Officer

granting an adequately supported hardship Petition. No relief granted under this Subsection (C)(6) shall be applied so as to deprive a Park Owner or Mobile Home Landlord from the ability to earn a fair return.

- a. Prohibit Implementation of Requested Rent Increase. In accordance with MHRSO Section 46.6(d), a Hearing Officer may restrict or prohibit the ability of a Park Owner or Mobile Home Landlord to impose one (1) or more accumulated or banked AGAs.
- b. Phase-In Period. Notwithstanding MHRSO Section 46.5(d), which precludes more than one (1) rent increase per twelve (12) month period, a Hearing Officer may authorize a phase-in period for a proposed rent increase, during which period rent is increased incrementally from month to month until the full rent increase is in effect, which incremental increase shall be considered one (1) increase effective on the first date that increased rent is due for purposes of MHRSO Section 46.5(d).
- c. Other Relief. A Hearing Officer may provide for such other relief that ensures fairness and furthers the purposes of the MHRSO to a Mobile Home Owner or Mobile Home Tenant who would experience a hardship if the proposed rent increase were imposed based on the qualifying condition of the household.

7. Summary of Mobile Home Owner or Mobile Home Tenant Hardship Petition Process.

Timeline to Process a Hardship Petition	
Review of Submission to Determine if Petition is Complete	
Notice of Acceptance Sent to Mobile Home Owner or Mobile Home Tenant and Park Owner or Mobile Home Landlord (Identifies Scheduled Date of Hearing if Uncontested)	Within 14 Calendar Days of Submission to the City
Deadline for Park Owner or Mobile Home Landlord Response to Petition	Within 30 Calendar Days of Notice of Acceptance from City
Date of Uncontested Hearing.	Within 60 Calendar Days of Notice of Acceptance
Date of Contested Hearing	Within 30 Days of Submission of Park Owner or Mobile Home Landlord Response to City
Notice of Decision Sent	Within 14 Calendar Days of Uncontested Hearing

- a. To the extent feasible, each Hardship Petition accepted by the Rental Housing Committee or its designee will be processed and responses will be accepted in accordance with the preceding schedule.
- b. Deadlines identified in Subsection (C)(7) may be extended for good cause, which may be based on the following, nonexclusive list of factors: complexity of Petition, reasonable requests for continuance, scheduling difficulties, and/or allowing parties adequate time to obtain representation.
- c. Any good-cause extension by the Rental Housing Committee or its designee will be set forth in writing, and written notice sent to all parties to the Petition by the Rental Housing Committee or its designee. Any failure by the Rental Housing Committee or its designee to act in accordance with this Subsection (C)(7) and the timelines set forth therein will not result in an automatic acceptance of a Petition, or grant of a Mobile Home Owner or Mobile Home Tenant hardship or grant of relief from a lawful, duly noticed Rent increase.

D. Partial Invalidity

If any provision of this Chapter 8, or the application thereof to any person or circumstance, is held invalid, this invalidity shall not affect other provisions or applications of this Chapter 8 or these Regulations that can be given effect without the invalid provision or application, and, to this end, the provisions of this Regulation are declared to be severable. The Regulation shall be liberally construed to achieve the purposes of the Act.

Mobile Home Rent Stabilization Ordinance
Regulations

CHAPTER 9
NEW AND ADDITIONAL OCCUPANTS

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A. Authority

Mobile Home Rent Stabilization Ordinance (MHRSO) Section 46.9(3) authorizes the Rental Housing Committee (RHC) to establish rules and regulations for the administration and enforcement of the MHRSO, including clarification of ambiguities in the MHRSO related to the adherence to the just cause for eviction protections, relocation assistance, and first right of return included in Section 46.8 and the stabilization of rents included in Section 46.6.

B. Definitions

The following definitions apply for purposes of interpreting this Chapter 9, in addition to the definitions included in MHRSO Section 46.3.

1. Additional Occupant. An Additional Occupant is any person whose primary residence is a covered Mobile Home, but who was not one of the original occupants who took possession of the covered Mobile Home when the Tenancy began for the covered Mobile Home, unless the person occupied the covered Mobile Home on or before October 28, 2021.

2. Eligible Family Member. An Eligible Family Member is defined in MHRSO Section 46.8(a)(2)(b) and is copied below only for reference:

"[A] tenant's child, parent, grandchild, grandparent, brother, sister or spouse or domestic partner (as defined in California Family Code section 297) of such relatives, or...the spouse or domestic partner of a Tenant."

3. Housing Provider. For the purposes of this Chapter 9, a Housing Provider is an owner, lessor, sublessor, or any other person entitled to receive Rent for the use and occupancy of a Mobile Home in a Mobile Home Park. Any person who is a Tenant of a covered Mobile Home and who also accepts Rent from another Tenant or an Additional Occupant for the use and occupancy of the same covered Mobile Home is not a Housing Provider for the purposes of this Chapter 9.

C. General Rules Applicable to Each Additional Occupant

1. Rights of Housing Provider and Additional Occupant. A Housing Provider may ask each Additional Occupant, and each Additional Occupant must disclose in writing, the total amount and form of Rent paid by the Additional Occupant to any other Tenant of the covered Mobile Home. Each Additional Occupant who resides in a covered Mobile Home as their Primary Residence may ask the Housing Provider, and the Housing Provider must disclose in

writing to the Additional Occupant, the lawful monthly Rent for the covered Mobile Home. If the Housing Provider is a Mobile Home Landlord who rents a Mobile Home Space from a Park Owner, then any Tenant or Additional Occupant may ask, and the Mobile Home Landlord must disclose in writing to the Tenant or Additional Occupant, the lawful monthly Rent for the Mobile Home Space.

2. Immigration Status Protected. In accordance with California Civil Code Section 1940.3, in no circumstances may a Park Owner, a Mobile Home Landlord or a Housing Provider request or require documentation that would disclose, or take any negative action based on, the immigration or citizenship status of an Additional Occupant or proposed Additional Occupant.
3. Rent Limited. It is unlawful for any Mobile Home Tenant whose Primary Residence is a covered Mobile Home to demand, accept, receive, or retain any payment or payments, or benefits thereof, in excess of the lawful Rent due and payable to the Housing Provider for the use and occupancy of that covered Mobile Home or for the shared use and occupancy of that covered Mobile Home
4. Decontrol of covered Mobile Home.
 - a. Valid Decontrol. When a covered Mobile Home is used and occupied as the Primary Residence of only Additional Occupants, a Housing Provider may renegotiate the Rent with one or more of the Additional Occupants of the covered Mobile Home. If the renegotiation results in an increase in Rent for the covered Mobile Home, the Housing Provider must provide notice to the household in accordance with Civil Code Section 827.
 - b. Additional Occupant Does Not Cause Decontrol. Except as set forth in subsection C.4.a above, the use and occupancy of the covered Mobile Home by one or more Additional Occupants in accordance with this Chapter 9 does not of itself authorize any Rent increase. Each Rent increase must be authorized pursuant to MHRSO Section 46.3 (Annual General Adjustment) or MHRSO Section 46.10 (Petition for Upward Adjustment - Fair Rate of Return).
5. Mandatory Mediation. Disputes arising under the rights and responsibilities identified in this Chapter 9 shall be referred to mandatory, nonbinding mediation sponsored by the City of Mountain View. Mandatory mediation shall be independent of: (a) any rights under State or Federal law; and (b) any obligation to provide or right to receive notice of any violation and opportunity to cure such violation.

D. Verification of Eligible Family Member as Additional Occupant

1. Mobile Home Tenant Must Provide Notice to Housing Provider and RHC. In order to exercise the right to house an Eligible Family Member under MHRSO Section 46.8(a)(2)(b), a Mobile Home Tenant must provide written notice of the intent to house an Eligible Family Member to the Housing Provider. The written notice to the Housing Provider must include: (1) the date of the notice; (b) the full legal name of the Eligible Family Member; (c) the qualifying relationship between the Mobile Home Tenant and the Eligible Family Member; and (d) the date when the Mobile Home will become the Eligible Family Member's Primary Residence. A copy of the written notice, or electronic equivalent, must be submitted to the RHC within ten (10) days of delivery to the Housing Provider.
2. Housing Provider May Verify Eligible Family Member Status of Additional Occupant. A Housing Provider (and a Landlord, if applicable) may, but is not required to, request reasonable documentation verifying the Eligible Family Member-status of any Additional Occupant. Reasonable documentation may include, but is not limited to: government- or educational institution-issued identification, a birth or marriage certificate, or domestic partnership registration. The Tenant and/or Additional Occupant must provide reasonable documentation verifying the Eligible Family Member-status of the Additional Occupant. Any dispute regarding the validity of verifying documentation under Section D.2 of this Chapter 9 shall be resolved based on the reasonableness of the document for purposes of verifying Eligible Family Member Status to a Housing Provider.

E. Additional Occupant as a Replacement Roommate

1. Mobile Home Tenant Must Provide Notice to Housing Provider and RHC. In order to exercise the right to house an Additional Occupant who is replacing one or more departed Mobile Home Tenants under MHRSO Section 46.8(a)(2)(a), a Mobile Home Tenant must provide written notice of the intent to house an Additional Occupant as a replacement roommate to the Housing Provider. The written notice to the Housing Provider must include: (a) the date of the notice; (b) the full legal name of the Additional Occupant; (c) whether the Additional Roommate will pay some or all of the Rent to the Housing Provider, and the amount, if any; (d) whether the Additional Roommate will pay Rent or any compensation to a continuing or departing Mobile Home Tenant of the Mobile Home, and the amount, if any; and (e) the proposed date when the Mobile Home will become the Additional Occupant's Primary Residence, subject to Section E.2 of this Chapter 9. A copy of the written notice, or electronic equivalent, must be

submitted to the RHC, or its designee, within ten (10) days of delivery to the Housing Provider.

2. Housing Provider May Perform Typical Tenant-Screening for Additional Occupant. A Housing Provider may request submission of documents or information or the consent to release information, by or from the proposed Additional Occupant in order to perform typical tenant screening, which may include, but is not limited to, and does not require: a background check regulated by the Investigative Consumer Reporting Agencies Act or the Consumer Credit Reporting Agencies Act. A Housing Provider may charge a screening fee under subsection E.2 of this Chapter 9 in accordance with California Civil Code Section 1950.6.
 - a. If the Additional Occupant will pay some or all of the Rent to the Housing Provider, then the Housing Provider may reasonably refuse to accept the Additional Occupant based on the Additional Occupant's lack of creditworthiness. A Housing Provider cannot impose a greater creditworthiness standard when screening a proposed Additional Occupant as compared to other Tenants in the same Mobile Home.
 - b. If the Additional Occupant will not pay any Rent to the Housing Provider, then the Housing Provider may not unreasonably refuse to accept the Additional Occupant based on the Additional Occupant's creditworthiness or the purported lack thereof.

F. Other Additional Occupants

If a proposed Additional Occupant is neither an Eligible Family Member (under Section D of this Chapter 9) nor a roommate who will replace a departing or former roommate in a Mobile Home (under Section E of this Chapter), then the MHRSO shall not affirmatively require a Housing Provider to accept or permit the use and occupancy of the Mobile Home by the Additional Occupant, regardless of whether the Housing Provider's refusal is reasonable or not.

G. Partial Invalidity

If any provision of this Chapter, or the application thereof to any person or circumstance, is held invalid, this invalidity shall not affect other provisions or applications of this Chapter or these Regulations that can be given effect without the invalid provision or application, and to this end the provisions of this Regulation are declared to be severable. The Regulation shall be liberally construed to achieve the purposes of the Act.