



# CITY OF MOUNTAIN VIEW

## MEMORANDUM

Rent Stabilization Program,  
Community Development Department

**DATE:** January 24, 2022

**TO:** Rental Housing Committee

**FROM:** Anky van Deursen, Program Manager  
Karen Tiedemann, Special Counsel to the RHC  
Nazanin Salehi, Special Counsel to the RHC

**SUBJECT: Proposed Amendments of the Tenant Relocation Assistance Ordinance**

### **RECOMMENDATION**

To review and provide feedback on the proposed amendments to the City's Tenant Relocation Assistance Ordinance, City Code Sections 36.38 through 36.48, to include mobile home residents.

### **BACKGROUND**

On September 28, 2021, the City Council adopted an Ordinance of the City of Mountain View Enacting Mobile Home Rent Stabilization (MHRSO). This ordinance went into effect on October 28, 2021. As stated in Section 46.1, the purpose of the MHRSO is to "protect mobile home residents from unreasonable rent increases, while at the same time protecting the rights of park owners and mobile home landlords to receive a fair return on their property and rental income sufficient to cover increases in the costs of repairs, maintenance, insurance, employee services, additional amenities, and other costs of operation."

At the same meeting, the City Council also directed staff to prepare and return to Council with an ordinance to provide tenant relocation benefits and first right of refusal for mobile home tenants, similar to the rights already provided to apartment tenants under the Tenant Relocation Assistance Ordinance (TRAO). The Mobilehome Residency Law (MRL) addresses just causes for eviction of mobile home owners, and Government Code Section 65863.7 requires relocation benefits and protections for mobile home owners upon a park closure or change of use. The proposed changes to the TRAO focus on providing tenant relocation benefits and first right of return to mobile home tenants.

## ANALYSIS

This Analysis section provides a summary of the key TRAO requirements currently in place and the recommended TRAO modifications.

### Key TRAO Provisions

The TRAO currently has the following key provisions:

1. **Eligibility:** The TRAO applies to units covered under the Community Stabilization and Fair Rent Act (CSFRA) and to units not covered by the CSFRA if three (3) or more rental units on a parcel are vacated within a one-year period, upon notice from the landlord, as the result of or to enable any of seven specified actions, such as withdrawal of the property from the rental market, demolition of the property, rehabilitation of the building, condo conversion, etc.
2. **Income Requirement:** Households are only eligible for relocation benefits under the TRAO if annual household income does not exceed 120% of the median household income, plus \$5,000 for Santa Clara County, as adjusted for household size. For reference, below are the 120% Area Median Income (AMI) plus \$5,000 maximum income limits for Santa Clara County, as adjusted by household size.

Household Size	1	2	3	4	5	6
120% AMI*	\$127,100	\$145,250	\$163,400	\$181,550	\$196,050	\$210,600
120% AMI + \$5,000	\$132,100	\$150,250	\$168,400	\$186,550	\$201,050	\$215,600

\* 2021 State Area Median Income adjusted for household size (HCD Santa Clara County).

### 3. **Relocation Assistance Available to Eligible Households:**

- a. *Security deposit refund:* A full refund of a tenant's security deposit, except for funds that may be necessary to repair tenant's damage to property in rental units reoccupied prior to undergoing renovation or demolition.
- b. *Subscription agency:* Unlimited access to a subscription service to a rental agency until the time of move-out and services of a relocation agency with extended advisory and personalized replacement housing assistance based on a household's preferences, housing budget, preferred location and other requirements, and providing several rounds of referrals through analysis of

- available rental housing, including internet listings, contact with property management companies, and available affordable housing options, including wait-list opportunities and other leads on housing.
- c. The cash equivalent of three months' rent, based on the median monthly rent for a similar-sized unit with the same number of bedrooms and bathrooms.
  - d. An additional \$8,000 per rental unit for special-circumstances households, adjusted annually for inflation based on the Consumer Price Index for the San Francisco Bay Area (2022: \$8,503). Special-Circumstances Households are defined as eligible households with at least one person 62 years of age or older, disabled or handicapped, or with one or more minor children, under 18 years of age, who are legally dependent.
4. **First Right to Return.** Eligible households are also entitled to a first right of return to the rental unit if that rental unit is returned to the rental market by the landlord, or successor landlord, after termination due to: (a) necessary and substantial repairs requiring a temporary vacancy; (b) owner moves into the rental unit; (c) permanent withdrawal of the property from the rental market; or (d) demolition of the rental unit.

#### **Recommended TRAO Amendments:**

The proposed amendments would make the requirements and benefits provided by the TRAO also applicable to mobile home tenants. Where necessary, mobile home tenants are added to several provisions in the TRAO. For instance, the definition of a Rental Unit is proposed to include mobile homes (new language in underline):

**“Rental Unit:** Any building, structure, or part thereof, or mobile home in a mobile home park, and land appurtenant thereto, or any other rental property rented or offered for rent for residential purposes, together with all housing services connected with use or occupancy of such property, such as common areas and recreational facilities held out for use by the tenant.”

#### **NEXT STEPS**

The proposed amendments will be submitted to the Environmental Planning Commission for recommendations and to City Council for review and approval.

**FISCAL IMPACT**

The review of the proposed amendment of the TRAO is not anticipated to impact the budget of the RHC.

**PUBLIC NOTICING** – Agenda posting.

AD-KT-NS/4/RHC

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Attachment: 1. Draft Amendments to the TRAO