

**City of Mountain View  
Mobile Home Rent Stabilization Ordinance  
List of Anticipated Regulations**

- 1. CHAPTER 1 – Purpose, Scope and Authorization**
- 2. CHAPTER 2 – Definitions**
  - a. The following terms differ from the CSFRA: Accord; Communal Facilities; Housing Services; Mobile Home; Mobile Home Landlord; Mobile Home Owner; Mobile Home Park; Mobile Home Rental Agreement; Mobile Home Residency Law; Mobile Home Space; Park Owner; Rent; Space Rental Agreement; Tenancy
- 3. CHAPTER 3 – Rules of Conduct for RHC Meetings**
  - a. This chapter of regulations may be incorporated by reference to the CSFRA regulations or mirrored exactly from CSFRA regulations. There are no additional regulations that need to be added to this section to accommodate the MHRSO.
- 4. CHAPTER 4 – Registration, Exemptions**
  - a. Registration deadlines can be retained.
  - b. Exemption. Since the exemptions in the MHRSO are more nuanced than those in the CSFRA, there should be additional documentation and noticing requirements. The Committee want to adopt a process by which tenants may petition (1) if, after receiving an exemption notice from their landlord, they disagree with the basis for the exemption, and (2) if, after the expiration of a qualifying lease under Section 46.4(b), their landlord still has not registered their unit.
- 5. CHAPTER 5 – Petition Process**
  - a. The procedural requirements can be mirrored from the CSFRA. To ensure clarity for the purposes of the MHRSO, the terms "Landlord" and "Tenant" must be changed to "Mobile Home Landlord," "Mobile Home Owner," and "Mobile Home Tenant."
  - b. The MHRSO provides no parameters for the factors that may or may not be considered in both landlord (upward adjustment) petitions and tenant (downward adjustment). Therefore, the RHC may (and must) promulgate regulations outlining the facts that can and cannot be considered in both petition processes, per Section 46.10(c). The fair rate of return standard should be defined in the Chapter 7 below.
- 6. CHAPTER 6 – Hearing Process**
  - a. Hearing Purpose and Applicability can remain the same.
  - b. Hearing Officer selection criteria and requirements can remain the same, with addition of training in MHRSO and interest in mobile homes or parks.
  - c. Hearing Officer Authority can remain the same.
  - d. Notice and Prehearing Procedures, including filing and scheduling deadlines, can remain the same as the CSFRA process.
  - e. Postponement Request regulations can remain the same.
  - f. Conduct of Hearing and Burden of Proof regulations can remain the same.
  - g. Decision and Appeal regulations, including issuance and filing deadlines, can remain the same.

## **7. CHAPTER 7 – Fair Rate of Return Standard**

- a. Capital Improvements Pass Through. Creation of sample notices and forms required by Sections 46.7(h) and 46.9(a)(16). In particular, the RHC must develop regulations for (1) the cost recovery calculations and date of expiration for the Capital Improvement pass-through cost for each Mobile Home Space; (2) an amortization schedule for recoverable Capital Improvements; and (c) factors to evaluate a Park Owner's application for pass-through cost of Capital Improvement, that include, but are not limited to, whether the works was necessary to bring the Mobile Home Park into compliance or maintain compliance with health and safety code requirements.
- b. Fair Rate of Return. The Committee must promulgate regulations that further define adjustments of unreasonably low Base Year net operating income and Base Year Rent adjustments, per Section 46.10(a)(1)(b). Must also promulgate regulations outlining the factors that may or may not be considered in fair rate of return petition, per Section 46.10(c). These factors do not have to be the same factors that are considered in CSFRA petitions, and in fact, should reflect the different considerations in operating a mobile home park.
- c. Since the MHRSO applies to both Mobile Home Landlords and Mobile Home Owners, there should be additional consideration given to the evidentiary requirements imposed on those different categories of "landlords" in these petition processes. The Committee might consider adopting different regulations based on the number of units owned.
- d. Joint Petition for New and Additional Housing Services regulations can remain the same.

## **8. CHAPTER 8 – Banking Procedures, Tenant Hardship**

- a. Section 46.6(d) provides for the Committee's creation and adoption of regulations that "modify, restrict or prohibit the ability of Park Owners and Mobile Home Landlords to impose accumulated increase upon finding that the bank of the [AGA] causes undue hardship" provided they still get a fair rate of return.

## **9. CHAPTER 9 – New and Additional Occupants**

- a. With the exception of regulations about decontrol of a covered unit, the New and Additional Occupants regulations can remain the same.
- b. The regulations should make clear that the requirements to inform the RHC and "Housing Provider" are limited to situations where Mobile Home Tenant is leasing unit from Mobile Home Owner or Mobile Home Landlord. They do not apply to situations where Mobile Home Owner is only renting a space from a Park Owner.

## **10. CHAPTER 10 – Just Cause for Eviction**

- a. Committee may promulgate regulations that would protect families and promote stability of school-aged children, per Section 46.8(a)(3)(b).
- b. Except for the addition of the aforementioned, these regulations can remain the same. The RHC has authority to require filing of notices of termination and unlawful detainer complaints.