

# MOBILE HOME PARKS NEIGHBORHOOD FOLLOW-UP REPORT

Follow-up Responses to Issues Raised at the September 20, 2018  
Council Neighborhood Committee Meeting

Presented below are the City's responses to questions requiring follow-up from the September 20, 2018 Council Neighborhood Committee meeting with the Mobile Home Parks Residents. If you have further questions about any of the following responses, please contact the responsible Department at the phone numbers noted below. General questions can be directed to Monica Joe, Assistant Planner - Affordable Housing at (650) 903-6379.

## CITY ATTORNEY'S OFFICE - (650) 903-6303

1. *Does Title 25 include anything about the earthquake safeness of mobile homes? How can I go about figuring out if my manufactured home is earthquake proof? Can you do inspections or somehow help us with this? If not, what do you recommend?*

The City of Mountain View does not provide earthquake preparedness inspections because all responsibility for health and safety in California mobilehome parks is assigned to the California Department of Housing and Community Development (HCD). Section 1122 of Title 25 of the California Mobilehome Park regulations enforced by the HCD requires that each park post the following safety-related information, which would be helpful in an earthquake event. This Section states:

"The requirements of this section shall be printed and posted in a conspicuous place on the premises and shall contain the following information:

- (a) List the following telephone numbers:
  - (1) Fire Department
  - (2) Police Department or Sheriff's Office
  - (3) Park Office.
  - (4) The responsible person for operation and maintenance.
  - (5) Enforcement agency.
- (b) List the following locations:
  - (1) Nearest fire alarm box, when available.
  - (2) Park location (street or highway numbers).
  - (3) Nearest public telephone."

Also, the California Emergency Management Agency publishes a pamphlet with general advice for various types of emergencies and disasters in mobilehome parks.

It is entitled "Emergency Plans for Mobile Home Parks." The link for this publication is:

[http://www.hcd.ca.gov/building-standards/manufactured-modular-factory-built/docs/mobilehomeplanningguidance\\_11sept6.pdf](http://www.hcd.ca.gov/building-standards/manufactured-modular-factory-built/docs/mobilehomeplanningguidance_11sept6.pdf)

Specifically in regard to earthquake safety, Title 25, Chapter 2, Article 7.5, of the California Mobilehome Park regulations applies. This regulation, administered by HCD addresses requirements for installing earthquake bracing on mobilehomes, is known as "ERBS". The ERBS regulation includes detailed rules for offering to install such systems and for certifying the installation completion. However, this regulation does not require that earthquake bracing be installed on all mobilehomes in California; it only regulates the manner and quality of installation if purchased.

2. *Can we list SureSafe's free inspection services on the list of resources? "Sure Safe" will do a free inspection including pictures under your home. They also tag shut off points for utilities.*

The City cannot recommend or make referrals to specific private service providers. However, here is a link provided by a private company site that references a State of California list of companies approved to offer ERBS, including SureSafe:

<https://cnico.com/pgs/mobile/mobile4bracingList.aspx>

3. *We've had several break-ins at Santiago Villa recently. What is the responsibility of the owner when it comes to security and crime prevention?*

The posted safety-related information required by Section 1122 of Title 25 of the California Mobilehome Park regulations, described above, would help address crime issues. The required information includes telephone numbers for police and fire departments and other crime prevention information. Apart from Section 1122, there are no provisions in Title 25 that require park ownership to implement specific crime prevention measures or to otherwise prevent criminal activity.

Section 798.87 of the MRL does permit a legal action against a park owner whose substantial failure to maintain the park creates a "public nuisance". Although there does not appear to be any legal precedent based on the specific failure to prevent criminal activity in a mobilehome park, it could be argued that repeated criminal activity such as theft, or drug dealing or prostitution, is a public nuisance, which could be remedied through a civil action against the park owner.

Also, there is a general theory that there is an "implied warranty" associated with the space rent lease agreement, as there is for every rental agreement. Part of this

implied warranty includes the park owner's duty to protect the "quiet enjoyment" of a mobilehome owner's occupancy. It could be argued that an on-going environment of serious criminal activity would be inconsistent with the peaceful enjoyment of one's home protected by the implied warranty of quiet enjoyment. However, there is no direct legal precedent applying the quiet enjoyment warranty to criminal activity.

4. *How Will the City of Mountain View handle the changes in the newly passed Assembly Bill 3066 and how should residents file complaints that owners are not following the Mobilehome Residency Law ?*

The governor signed this bill on September 26, 2018. This legislation establishes a Mobilehome Residency Law Protection Program beginning July 1, 2020 within the California Department of Housing and Community Development (or "HCD") to help coordinate and provide assistance to resolve complaints from homeowners relating to a state law, known as the Mobilehome Residency Law. As part of this program, HCD will contract with a nonprofit legal service to represent homeowners in enforcement actions.

Because Mobilehome Residency Law governs the terms and conditions of residency in mobilehome parks in the state of California, the City of Mountain View has limited authority in a mobilehome park. The answer to this question may depend on the specific nature of the complaint. However, in most cases, HCD has enforcement authority over mobilehome parks.

5. *How will Prop 10 affect mobilehome residents?*

If adopted by the voters, Proposition 10 would modify state law to allow cities and counties to adopt local regulations that govern a landlord's right to establish and increase rental rates on a dwelling or housing unit while requiring the landlord receive a fair rate of return. The proposition does not propose any changes to Mobilehome Residency Law which governs the terms and conditions of residency in mobilehome parks.

6. *How can residents find out where the Rental Housing Committee (RHC) members live?*

The City does not provide this information based on the individual's right of privacy, but Members of the RHC can be contacted by emailing to the following address: RHC@mountainview.gov or individual emails as published on the roster on the City's website:

<https://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=5579>

**PUBLIC WORKS DEPARTMENT - (650) 901-6311**

1. *Is there anything the City can do to upgrade aging infrastructure for electrical service and high-speed internet?*

PG&E is currently working on the Mobilehome Park Utility Upgrade Program, which is a 3-year pilot program approved by the California Public Utilities Commission. The goal of this pilot program is to upgrade 10% of California's 381,000 mobile home park spaces. More information can be found at this link:

[https://www.pge.com/en\\_US/safety/contractor-construction-business-and-agriculture/mobile-home-park-utility-upgrade/mobile-home-park-utility-upgrade.page](https://www.pge.com/en_US/safety/contractor-construction-business-and-agriculture/mobile-home-park-utility-upgrade/mobile-home-park-utility-upgrade.page)

Regarding high speed internet, interested residents should work directly with internet providers.