

# MOBILEHOME PARKS RESIDENTS NEIGHBORHOOD AREA FOLLOW-UP REPORT

Follow-up Responses to Issues Raised at the June 30, 2016  
Council Neighborhoods Committee Meeting

Presented below are the City's responses to questions requiring follow-up from the June 30, 2016 Council Neighborhoods Committee meeting with the Mobilehome Park 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 Vera Gil, Project Manager - Affordable Housing, at (650) 903-6379.

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

1. *For tenant background checks, the law does not clarify what income requirements are deemed "reasonable". What criteria are being deemed "reasonable"?*

The Mobilehome Residency Law (MRL) addresses background checks in Section 798.74. Although the statute doesn't directly define "reasonable," it does place limits on background checks. The statute does not grant park management any right to conduct background checks on current mobilehome owners. Section 798.74 does permit management to use background checks to screen applicants who wish to purchase a mobilehome within the park.

Management is allowed to utilize screening to determine the applicant's "financial ability" to pay the rent and fees established by the park. It also allows management to determine if "prior tenancies" indicate that the applicant will not comply with the park rules and regulations. "Financial ability" is not defined more specifically, except to say that management cannot require an applicant to disclose income tax returns but can require the applicant to document the amount and types of his or her financial support. A prospective buyer can require management to provide a written description of the documentation to be submitted and the standards for accepting or rejecting this documentation in advance of submitting an application. Based on the MRL, it appears that a typical credit check and rental history check would be within management's permissible screening procedure. A criminal background check would also be permissible in order to determine whether an applicant is likely to break park rules by engaging in criminal activity.

The California fair housing laws place further limits on the screening process. Management cannot use screening to inquire about an applicant's race, immigration status or medical condition and cannot reject an applicant based on the applicant's "source of income," as long as the source is verifiable.

Since the question refers to "tenant" background checks, this answer also addresses the rules for a true tenant, someone who is renting a mobilehome from park management. The regular California tenant-landlord Civil Code statutes would apply to a true tenant, including the usual screening rules. They are similar to the rules discussed above for mobilehome purchasers.

2. *How could the proposed rent control ballot measure affect mobile home park residents?*

The voter initiated ballot measure was not drafted by the City. It would appear the proposed ballot measure is not intended to apply to mobilehome parks. However, this issue is currently being reviewed by the City Attorney's Office. Under Mobilehome Residency Law, however, local agency rent control laws cannot apply to new mobilehome park spaces held out for rent after January 1, 1990. In addition, leases in excess of 12 months which meet certain criteria are exempt from local rent control.

If a resident rejects an offered lease agreement that meets these requirements, and elects to have a rental agreement for 12 months or less, including month-to-month, the first 12 months of the rental agreement shall contain the same rental charges, terms, and conditions as the offered rental agreement in excess of 12 months. This further limits the application of a rent control ordinance on mobilehome parks. Furthermore, as to the just cause eviction provisions of the ballot measure, Mobilehome Residency Law already requires that a mobilehome park resident be terminated for only one of the authorized reasons set forth in Civil Code 798.56.

3. *Does the "units constructed prior to 1995" rent control requirement apply to mobile home parks?*

A different law applies to mobile home parks. Under Mobilehome Residency Law, rent control laws enacted by a local agency cannot apply to new mobilehome park spaces held out for rent after January 1, 1990.

4. *Can mobile home owners "rent" out rooms through Airbnb?*

The City of Mountain View does not currently regulate short-term rentals. Staff has been monitoring such regulations in other jurisdictions. The preparation of an ordinance regulating short term rentals, such as Airbnb, would be a significant work item for the Community Development Department, City Attorney's Office and the Finance and Administrative Services Department because it involves both zoning and taxation issues and would require the City Council to reprioritize other staff assignments. Currently, the Santa Clara County Leadership Academy is working on

a group project to identify and study the best practices for municipal regulation of short term rentals and we should receive this information in the fall.

5. *Can the City please ensure all mobile home park residents are notified of the fall City Council study session on mobile home park issues?*

The City will be mailing a notice to all mobilehome park residents for the fall City Council study session. In addition, members of the public may use the "Subscribe Mountain View" service to sign up for notification of City Council meetings. The "Subscribe Mountain View" link is provided at the bottom of the City's webpage and at <http://mountainview.gov/mymv/>.

6. *As a result of a 2003 Council Neighborhood Committee meeting, did Santiago Villa agree to a 3% rent increase limit?*

From a review of City Council meeting reports and minutes, it appears that in 2002, the park owner voluntarily agreed to provide residents paying more than \$795 per month for space rent the option of either freezing rents at current levels for a period of five years or reducing rent to \$795 with an increase of 3% per year. The option of reducing rent to \$795 with a 3% increase may have been similarly limited to a period of five years; however, the documentation is unclear.

#### PUBLIC WORKS DEPARTMENT - (650) 903-6311

1. *New LED lights were recently installed on Sylvan Avenue. They make a great difference and help pedestrians feel safe at night. Can we extend the LED lights around the corner from Sylvan onto Moorpark Way?*

On Moorpark between Dana and Sylvan there is one Mountain View owned light and two Caltrans lights. There are several PG&E poles on which the City may be able to place additional lights, and City staff will review the potential to increase lighting in the area.

2. *The traffic on Sylvan Avenue is very heavy, and despite the "No Trucks" signs, the large diesel trucks continue to use the street, intensifying the major safety concern. What can be done to require truck drivers to use an alternative route?*

There are existing signs on either end of Sylvan restricting trucks over 5 tons. We will ask our police department to enforce the restrictions as much as their resources allow them. Additionally, we will seek a permit from the State of California Department of Transportation (Caltrans) to install additional signs along El Camino Real to direct trucks to Highway 85 and Highway 237.

3. *We are seeing an increasing amount of rust in our water despite using filters. What is the source of the rust, and can anything be done to correct this problem?*

The majority of the City's calls regarding rust are due to home plumbing/piping with galvanized lines, and the rust is typically generated in the onsite water service lines or inside plumbing. The City is not aware of any problems regarding rust in the water but residents may call the Public Services Division at (650) 603-6329 to discuss any specific concerns. If the City determines the rust is the result of onsite plumbing, residents will need to work directly with their Home Owners Association or management to address the problem.

4. *Would it be possible to install a blinking "No Right on Red" sign at 101 and Shoreline?*

The northbound 101 off-ramp and traffic signal at the 101 off-ramp and Shoreline Boulevard fall under the jurisdiction of the State of California Department of Transportation (Caltrans). Staff will forward your request to them for consideration.

5. *Are there incentives or rebates for water conservation efforts like installation of high-efficiency toilets for mobile homes? (Please provide links to current programs applicable to mobile homes).*

There are several water conservation programs available for mobile homes in Mountain View:

- a) Free Home Water Survey - Identify areas of potential water savings and replace old inefficient fixtures, such as showerheads and faucet aerators, with new efficient fixtures. Call (800) 548-1882 or visit [www.valleywater.org/Programs/WaterWiseHouseCallRequest.aspx](http://www.valleywater.org/Programs/WaterWiseHouseCallRequest.aspx) to sign-up.
- b) Toilet Rebate - California offers \$100 rebate for residents who install a new water efficient toilet. Visit [www.saveourwaterrebates.com/toilet-rebates.html](http://www.saveourwaterrebates.com/toilet-rebates.html) for information.
- c) Submeter Rebate - Mobile home parks that install residential water submeters are eligible for \$150 rebate per submeter. Visit [www.valleywater.org/Programs/SubmeterRebateProgram.aspx](http://www.valleywater.org/Programs/SubmeterRebateProgram.aspx) for information.