

# Mobilehome Resource Guide



*Housing*

City of San José - Housing, Rental, Rights and Referrals Program

200 East Santa Clara Street, San José, CA 95113

408.975.4480 - Main

408.975.4475 - Mobilehome Staff

[www.sjhousing.org](http://www.sjhousing.org)

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*The City of San José is committed to protecting housing rights of mobilehome residents and park owners through information and resources aimed at improving resident-owner relationships in the mobilehome community.*



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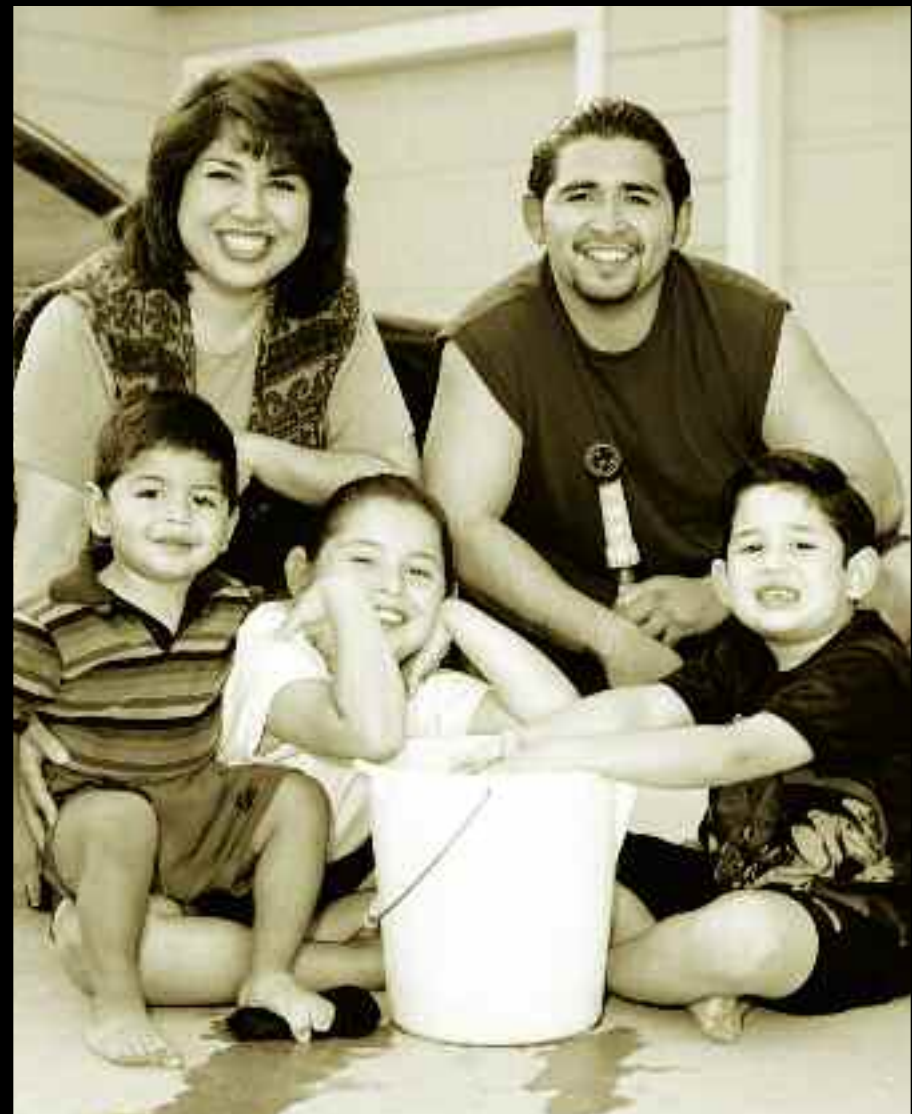
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**Disclaimer** - This Guide is not intended to be a substitute for the Mobilehome Rent Ordinance. The City of San José takes no responsibility for the quality of services provided by non-City agencies. The information contained in this listing is accurate as of the time of printing. If you have trouble contacting a particular service provider, please refer to a telephone book or search the Internet. For more information, visit our website at [www.sjhousing.org](http://www.sjhousing.org) or contact the Rental Rights & Referrals Program at 408.975.4480.



*Welcome  
to the  
Mobilehome Resource Guide*

## Introduction

THE CITY OF SAN JOSE is committed to protecting housing rights of mobilehome residents and park owners through information



and resources aimed at improving their relationship in the mobilehome community. The purpose of this Mobilehome Resource Guide is to provide a better understanding of the function of the City of San José Mobilehome Rent Ordinance (San José Municipal Code – Chapter 17.22). This

Guide provides an overview of rent control and addresses frequently asked questions (FAQ's). Copies of the Mobilehome Rent Ordinance and Regulations may be obtained from:

City of San José, Housing Department  
Rental Rights & Referrals Program  
200 East Santa Clara Street  
San José, CA 95113-1905  
408.975.4480 - Main  
408.975.4475 - Mobilehome Staff  
theresa.ramos@sanjoseca.gov - E-mail  
[www.sjhousing.org](http://www.sjhousing.org)

The Mobilehome Rent Ordinance is supplemental to the STATE OF CALIFORNIA, CIVIL CODE, Section 798 through 799.6 of the *Mobilehome Residency Law* that governs mobilehome parks. Management must provide homeowners with a copy of this document by February 1st of each year. Homeowners who have not received a copy of the Mobilehome Residency Law should ask management to provide them with a copy or visit the website:

[www.leginfo.ca.gov/calaw.html](http://www.leginfo.ca.gov/calaw.html), select Civil Code, and search for 798.

## History

In 1979, San José City Council appointed a task force to address rent issues in rental housing. In July 1979, the City Council adopted a Rent Stabilization Ordinance for both mobilehome parks and apartments. The Ordinance went into effect that year. Subsequently, the City Council created the Rental Dispute Resolution Program to administer the Ordinance. In 1985, the City Council voted to separate the Rent Stabilization Ordinance into two separate Ordinances: the Mobilehome Rent Ordinance, Chapter 17.22, and the Apartment Rent Ordinance, Chapter 17.23. In 2002, the Program relocated to the Department of Housing and was renamed the Rental Rights & Referrals Program (RRR Program).



*The purpose of the Mobilehome Resource Guide is to provide a user-friendly reference of the Mobilehome Rent Ordinance and a quick reference guide to mobilehome resources.*

# Administration of the Ordinance

The RRR Program administers the Mobilehome Rent Ordinance and provides City staff support to the Mobilehome Advisory Commission (MAC).

## Mobilehome Advisory Commission (MAC)

The function of the five-member MAC is to make recommendations to the City Council regarding rules, regulations, amendments, and/or changes that may be deemed necessary to ensure the ongoing successful operation and administration of the Mobilehome Rent Ordinance. Commissioners make recommendations to the City Council and Administration regarding staffing levels necessary to operate and maintain the mediation and administrative hearing process set forth in the Ordinance, as well as to prepare semiannual reports and proposed budgets relating to the present and future operations of the RRR Program. The MAC acts in an advisory capacity to the City Council.

Section 2.08.3420 of the Municipal Code states that one Commissioner shall be recommended by a park owner organization; one Commissioner shall be recommended by a homeowner (mobilehome resident) organization; and three Commissioners shall be neutral and shall not be residents of a park or representatives of park owners.

## Mobilehome Ordinance Overview

The San José Mobilehome Rent Ordinance covers fifty-eight mobilehome parks and 10,649 mobilehome lots in the City of San José. The Mobilehome Rent Ordinance allows rent increases without an Administrative Hearing when the rent increase does not exceed the Maximum Annual Percentage Increase (MAPI). The MAPI is 75% of the increase in the April San Francisco-Oakland-San José All-Item Consumer Price Index (CPI) with a minimum of 3% and a maximum of 7%. The MAPI applies to all rent increases, with an effective date from October 1st through September 30th of the following year. Rent increase dates have been consolidated into one anniversary date for each park.

From 1986 through 1992, a 5% annual increase was allowed. The percentage as described above was set in 1993 at a minimum of 3% and a maximum of 7%. Refer to the *Mobilehome Rent Ordinance, Part 4, Allowable Rent Increases*.

## Maximum Annual Percentage Increase (MAPI) Table

The following Annual Allowable Rent Increase Table is from 1993 to 2009, effective October 1st through September 30th. Refer to the table below:

MAXIMUM ANNUAL PERCENTAGE INCREASE	
Year	Maximum Rent Increase
1993 - 1999	3%
1999 - 2000	3.5%
2000 - 2001	3%
2001 - 2002	4.4%
2002 - 2009	3%

The Mobilehome Rent Ordinance prohibits more than one rent increase in any (12) twelve-month period, for a continuous tenancy. Under the California *Mobilehome Residency Law* as well as the City of San José Mobilehome Rent Ordinance, management must provide a homeowner with a (90) ninety-day rent increase notice. A property owner whose proposed rent increase exceeds the MAPI must file a Petition for a Hearing with the City's RRR Program.

## Maximum Annual Percentage Increase (MAPI) Formula

Below is the Maximum Annual Percentage Increase (MAPI) formula. The data is from the U.S. Department of Labor, Bureau of Labor Statistics at [www.bls.gov](http://www.bls.gov). The San Francisco-Oakland-San José All-Item Consumer Price Index (CPI) data statistics was 222.074 in April 2008 and increased to 223.854 in April 2009. The numbers represent the index for measures of prices of goods and services purchased by the consumer for a particular month.

In April 2008, the CPI increased 3.2%. The MAPI is calculated at three-quarters of the CPI and 75% of 3.2% is 2.4%, however, the Mobilehome Rent Ordinance allows a minimum of 3% rent increase. Therefore, the MAPI from October 1, 2009, through September 30, 2010 is adjusted up to 3%.

*For example:* Assume a homeowner's rent is \$500.00 a month and he/she receives a 3% Rent Increase Notice, the calculation is as follows:

$$\$500.00 + [\$500 \text{ (present rent)} \times .03 \text{ (% increase)}] = \$515.00$$

In the example above, the homeowner's new rent is set at \$515.00 a month.

In June of each year, the RRR Program provides park owners with a notice of the MAPI. The Mobilehome Rent Ordinance requires park owners to post a copy of the notice in the mobilehome park office and provide homeowners with a minimum (90) ninety-day rent increase notice.

### Fair Rate of Return to Mobilehome Park Owners

Income and expenses from 1985 are adjusted for inflation and compared to the current income and expenses. *For example,* if the mobilehome park's current income, after expenses have been paid, is not as large as it was in 1985 (when adjusted for inflation), then the park owner may increase rent in excess of the Maximum Annual Percentage Increase (MAPI). However, some types of costs and expenses are not allowed. *Refer to the Mobilehome Rent Ordinance, Part 4, Allowable Rent Increases.*

## Filing a Petition

Park owners requesting to increase rent in excess of the MAPI are required to file a Petition with the RRR Program. The park owners must notify homeowners of such filing. Mobilehome Petitions must include the names and addresses of the park owners and homeowners subject to the rent increase, a statement of the proposed effective date of rent increase, and all documentation related to the proposed rent increase. In addition, a park owner's Petition must be filed at least (95) ninety-five calendar days, but not more than (120) one hundred twenty calendar days, prior to the proposed rent increase. A copy of the notice must be available at the mobilehome park office. A park owner's failure to file a timely Petition may affect the outcome of their request. The Mobilehome Rent Ordinance has specific instructions for filing a Petition. *Refer to the Mobilehome Rent Ordinance, Part 6, Landlord Rent Petition, and Chapters 17.22.700 through 17.22.720.*



## Hearing Process

The Hearing Process consists of a Prehearing Conference and an Administrative Hearing. An Administrative Hearing Officer designated by the City conducts all Hearings. A Prehearing Conference is held to review the documentation to be presented at the Administrative Hearing, for the Administrative Hearing Officer to determine an agenda for the Administrative Hearing, and to allow all parties an opportunity to stipulate any uncontested matters. Any procedural determinations made at the Prehearing Conference are binding on all parties at the Administrative Hearing.

In Administrative Hearings, the Administrative Hearing Officer has the authority to hear and review all evidence and testimony presented by all parties involved. Once all evidence and testimony are given, the presiding Administrative Hearing Officer makes a final written decision, which is legally binding. Program staff will mail a copy of the decision to all parties. *Refer to the Mobilehome Rent Ordinance, Part 7, Administrative Hearing, from Chapter 17.22.750 through 17.22.850.*

The presiding Administrative Hearing Officer, the park owner, and mobilehome resident(s), along with their witnesses and representatives, generally may attend Administrative Hearings. Program staff may also attend for program evaluation purposes. The Petition and any retained evidence, such as audio tape recordings, other case materials, and copies of decisions are official public records. They may be requested by submitting a “Public Record Request Form” to the City of San José, Office of the City Clerk. Park owners should not demand or accept a rent increase in excess of the allowable amount of increase unless an Administrative Hearing Officer has authorized it.



## Mobilehome Fee

The Mobilehome Rent Ordinance allows for a “Rent Dispute Fee” to be imposed upon each mobilehome lot for the cost recovery of the City’s administration of the Mobilehome Rent Ordinance. The 2009 fee is \$13.82 per mobilehome lot. The Mobilehome Advisory Commission submits an annual fee recommendation to the City Council. Mobilehome lots covered by the Mobilehome Rent Ordinance are subject to the imposed fees. The “Rent Dispute Fee” adopted by resolution of the City Council is final. *Refer to the Mobilehome Rent Ordinance, Part 8, Fees.*

### Mobilehome Fee Pass-Through

The park owner is responsible for payment of all mobilehome lots covered by the Mobilehome Rent Ordinance on or before January 31 of each year. The park owner may pass one-half of the cost on to the homeowner. *For example*, if the Mobilehome Fee is \$13.82 per mobilehome lot, the park owner may pass \$6.91 on to the homeowner. This Mobilehome Fee is separate from the base rent. *Refer to the Mobilehome Rent Ordinance, Chapter 17.22.920.*

*Note: Other fees on the lot may be passed through. Refer to the Mobilehome Residency Law, Civil Code Section 798.49.*



## Ordinance Exemption

The Mobilehome Rent Ordinance does not apply to:

- a mobilehome lot occupied by a park owner,
- a rental lot that has plumbing, electrical, and sewage permits issued *after* September 7, 1979,
- properties which are owned or operated by a governmental agency,
- mobilehomes or mobilehome lots for which rent is subsidized under a Housing Assistance Program, and
- a rental agreement, voluntarily entered into between a management and homeowner, which meets all of the following criteria:
  - The rental agreement was entered into on or after January 1, 1986
  - The term of the rental agreement is in excess of 12 months' duration
  - The mobilehome lot that is the subject of the rental agreement is used for personal and actual residence of the mobilehome owner
  - The first paragraph of the rental agreement contains a provision notifying the homeowner that the mobilehome lot will be exempt from the Ordinance

*Note: Mobilehome lots for which permits were issued before September 7, 1979 and whose long-term rental agreement has expired are covered under the Ordinance. Refer to the Mobilehome Rent Ordinance, Part 3, Exemptions.*



## Mobilehome Park Demographics

CITY OF SAN JOSE  
**MOBILEHOME PARKS  
 BY CITY COUNCIL DISTRICT**  
 AS OF JANUARY 2006

District	Number of Parks	Number of Lots
1	1	111
2	7	1,901
3	5	420
4	11	2,673
5	4	275
6	3	439
7	20	3,426
8	4	745
9	0	0
10	3	729
<b>Total</b>	<b>58</b>	<b>10,719</b>





**Question** How do I know if the Mobilehome Rent Ordinance covers my mobilehome?

**Answer** The Mobilehome Rent Ordinance covers most mobilehomes, but there are exceptions:

- **Spaces permanently exempt:**
  - When plumbing, electrical, and sewer permits were issued after September 7, 1979
- **Spaces temporarily exempt:**
  - A mobilehome lot occupied by a park owner
  - Units owned or operated by a government entity or subsidized by the Housing Assistance Payment Program
  - If a homeowner has voluntarily signed a rental agreement after January 1, 1986, that exceeds twelve months in duration
  - If the first paragraph of the rental agreement notifies the homeowner that, by signing, he/she exempts himself/herself from the Ordinance

Refer to the Mobilehome Rent Ordinance Chapters 17.22.350 through 17.22.370.

**Question** How much may rents increase?

**Answer** The Mobilehome Rent Ordinance allows for a rent increase without an Administrative Hearing when the rent increase does not exceed the Maximum Annual Percentage Increase (MAPI). An example of a rent increase is listed on page 8. Refer to the Mobilehome Rent Ordinance Chapter 17.22.155, 17.22.570, and 17.22.1070.

**Question** How often may rents increase?

**Answer** Rents may be increased for a current homeowner on the rent increase anniversary date that occurs once in a (12) twelve-month period. *For example:* If a homeowner moves into a mobilehome park in June and the mobilehome park's rent increase anniversary date is in October, management may increase rents for all tenants in October, but must wait (12) twelve-months from October to raise rents again.

If a rent increase has not occurred in (24) twenty-four months or more, management may increase the rent without an Administrative Hearing by the total number of the current and the previous years of the "Maximum Annual Percentage Increase" (MAPI). *For example:* If a homeowner moved in 2004 and has not had a rent increase since then, management may increase the rent by 6% (MAPI for year 2005 is 3% plus MAPI for year 2006 is 3% which equals 6%) without an Administrative Hearing. Refer to the Mobilehome Rent Ordinance Chapter 17.22.450.

*Note: The Mobilehome Residency Law, California Civil Code Section 798.30 requires that a park owner provide a resident with a 90 day rent increase notice.*

## RENT CONTROL RENT INCREASES

**Question** What is a rent increase?

**Answer** A rent increase means any rent demanded of or paid for by a homeowner or tenant in excess of rent paid for the space lot immediately prior to such demand or payment. Rent



increase includes any reduction in services provided to a homeowner without a corresponding reduction in the monies demanded for or paid as rent. Refer to the Mobilehome Rent Ordinance Chapter 17.22.250.

**Question** Are there exceptions to a Maximum Allowable Percentage Increase?

**Answer** Yes. Rent may be increased in the following situations:

- **Post-Judgment Settlement:** A vacancy occurring pursuant to a post-judgment settlement following the termination of the homeowner in accordance with the *Mobilehome Residency Law, California Civil Code Sections 798.55 through 798.58 and Section 798.60, as amended. Refer to the Mobilehome Rent Ordinance Chapter 17.22.450.D.1.a.*
- **Abandonment:** An abandonment of the mobilehome as such term is defined in the *Mobilehome Residency Law, California Civil Code Section 798.61* which includes:
  - a mobilehome located in a mobilehome park on a site for which no rent has been paid to management for the preceeding (60) sixty-days,
  - the mobilehome is unoccupied,
  - a reasonable person would believe that the mobilehome is abandoned,
  - a park owner has followed the process of “Abandoned Mobilehomes” as defined in the *Mobilehome Residency Law, California Civil Code Section 798.6.1. Refer to the Mobilehome Rent Ordinance Chapter 7.22.450.D.1.b.*
- **Dealer Pull-Out:** A transaction in which a mobilehome dealer, as such term is defined in *Section 18002.6 of the Health and Safety Code*, purchases a mobilehome from a homeowner; the homeowner voluntarily terminates the tenancy; the dealer replaces the old mobilehome on the lot with a new one and pays a storage fee to the park owner; the dealer transfers the new mobilehome to a new homeowner. *Refer to the Mobilehome Rent Ordinance Chapter 17.22.135 and Chapter 17.22, Part 4 – Allowable Rent Increases.*

**Question** How much notice does management need to give before issuing a rent increase?

**Answer** Management must give at least a (90) ninety-day notice of a rent increase to a homeowner. *For example*, if the mobilehome park’s anniversary date is in July, the park owner must give notice to homeowners in April. *Refer to the Mobilehome Residency Law, California Civil Code Section 798.30.*

**Question** If management increases rent less than the 3%, may he/she increase rent again within the year?

**Answer** No, the Mobilehome Rent Ordinance only allows a rent increase once in a (12) twelve-month period.

**Question** May a park owner increase rent above the “Maximum Annual Percentage Increase (MAPI)”?

**Answer** Yes, only if both of the following conditions are met:

- A park owner has petitioned the RRR Program and has notified homeowners of an Administrative Hearing as required in the Mobilehome Rent Ordinance, and
- An Administrative Hearing Officer has granted the park owner’s request to increase the rent above the MAPI. *Refer to the Mobilehome Rent Ordinance Chapter 17.22, Part 5 – Rent Increase Limitation, and Part 6 – Landlord Rent Petition.*

If the park owner has not petitioned for an Administrative Hearing, the rent increase may violate the Mobilehome Rent Ordinance. Contact the RRR Program at **408.975.4480** and/or seek civil penalties through the courts. Turn to **Legal Services**, on page 36.

**Question** May rent be increased when the mobilehome is sold or transferred?

**Answer** No. Rent may not be increased if a mobilehome is sold on site or transferred in place, and remains in the mobilehome park. Refer to the *Mobilehome Rent Ordinance Chapter 17.22.450(e)*.

**Question** May rent be increased when the mobilehome is inherited?

**Answer** No, if the person who inherits the mobilehome is already residing in the mobilehome park. For example, a couple resides in a mobilehome park with a signed rental agreement, and the husband inherits a mobilehome from his deceased wife, who purchased the mobilehome prior to their marriage.

**Question** Does an inheritor of a mobilehome automatically become a resident of a mobilehome park?

**Answer** No. The inheritor wishing to reside in a mobilehome park must apply and qualify for tenancy prior to moving in to the mobilehome park.  
*Note: You may inherit a mobilehome, but you are not automatically entitled to become a resident in a mobilehome park.*

**Question** May the rent be increased when the homeowner upgrades his/her mobilehome to a newer model?

**Answer** No.



## Mobilehome Residents Build Communities



## SERVICE REDUCTIONS

*These are general questions. For specific questions related to “Service Reductions.” consult an attorney and/or a legal agency.*

### *Question* What is a service reduction?

*Answer* A service reduction is a decrease in basic service levels that management must provide pursuant to any of the following:

- California Civil Code Section 1941.1 and 1941.2
- The Mobilehome Residency Law, California Civil Code Section 798
- The Mobilehome Park Act, California Health and Safety Code Section 18200
- Management’s implied warranty of habitability
- An express or implied agreement between management and a homeowner
- The levels of services, as implied by the condition of improvements, fixtures, and equipment, and their availability for use by the mobilehome resident at the time of the last rent increase
- Applicable rules or regulations of the mobilehome park

*Refer to the Mobilehome Rent Ordinance Chapter 17.22.280.*

### *Question* If management reduces services without filing a Petition for an Administrative Hearing, what are my options?

*Answer* A homeowner may not petition for an Administrative Hearing. However, he/she may seek civil penalties through the courts. A park owner may be in violation of the Mobilehome Rent Ordinance. Turn to **Courts**, on page 36.

### *Question* How do Administrative Hearing Officers deal with service reductions?

*Answer* This is rare. However, an Administrative Hearing Officer decides a service reduction occurs when:

- A park owner petitions for an Administrative Hearing by an Administrative Hearing Officer to request approval for a rent increase above the maximum allowable increase
- A homeowner files a written claim that a service reduction has occurred

An Administrative Hearing Officer will then determine:

- If a service reduction has occurred
- If the service reduction is covered by the Mobilehome Rent Ordinance
- If the service reduction occurred since the last opportunity a homeowner had to file a written claim
- The amount of a rent decrease in order to compensate for the value of the service reduction

*Note: A homeowner must prove that a service reduction has occurred. Refer to the Mobilehome Rent Ordinance Chapter 17.22.590.*



# Q & A's Outside the Ordinance

## SECURITY DEPOSITS

*These are general questions. For specific questions related to "Security Deposits," consult an attorney and/or a legal agency.*

**Question** What is a security deposit?

**Answer** A security deposit is considered a payment, a fee, or a charge including, but not limited to, an advance payment of rent. It may be used for past due rent. After one year of tenancy, the homeowner may request for the return of his/her deposit provided that the rent has been paid on time for a 12-month period. For more information regarding deposits, refer to the *Mobilehome Residency Law, California Civil Code Section 798.39*. For assistance, contact an attorney and/or a legal agency. Turn to **Legal Services**, on page 36.

**Question** What is a seven-day notice?

**Answer** A seven-day notice is generally used to immediately correct a violation of park rules and regulations. *For example:* a park resident is playing loud music late at night, management may give notice requiring him/her to cease the violation. For assistance, contact an attorney and/or a legal agency. Turn to **Legal Services**, on page 36.

**Question** What is a fourteen-day notice?

**Answer** A fourteen-day notice is a provision generally stated in a lease or rental agreement that allows management to give a homeowner a notice of intent to charge for space maintenance (limited to landscape and driveway areas). Such a notice *must* list the violation and the cost to remedy the violation. For assistance, contact an attorney and/or a legal agency. Turn to **Legal Services**, on page 36.

**Question** What is a thirty-day termination notice?

**Answer** A thirty-day termination notice does not apply to mobilehome lots. For more information and assistance, contact an attorney and/or a legal agency. Turn to **Legal Services**, on page 36.

**Question** What is a sixty-day termination notice?

**Answer** A sixty-day termination notice is given to terminate a lease or rental agreement. A reason for termination *must* be stated. Such a notice is part of the "Just Cause Eviction" Process. For assistance, contact an attorney and/or a legal agency. Turn to **Legal Services**, on page 36.

## WRITTEN NOTICES

*These are general questions. For specific questions related to "Written Notices," consult an attorney and/or a legal agency.*

**Question** What is a three-day notice?

**Answer** A three-day notice may be given by management to a homeowner when: 1) rent, utilities, or other charges are not paid, 2) there is destroyed or damaged property, and/or 3) there is a violation of a lease or rental agreement. A three-day notice must state why a homeowner is being asked to leave, and if the problem is correctable, what a homeowner must do to correct the problem. If the violation is corrected, or a park owner decides to overlook the violation and rescinds the three-day notice, a homeowner may be allowed to stay. Rescinded notices should be in writing. For assistance, contact an attorney and/or a legal agency. Turn to **Legal Services**, on page 36.

**Question** May a park owner serve a 3-day (non-payment of rent)/60-day (termination of tenancy) notice?

**Answer** Yes. Since an eviction notice typically results in a homeowner having to move or sell his/her home, IMMEDIATELY contact an attorney and/or a legal agency. For assistance turn to **Legal Services**, on page 36. Refer to the *Mobilehome Residency Law, California Civil Code Section 798.56*.

## EVICITION

*These are general questions. For specific questions related to "Eviction," consult an attorney and/or a legal agency.*

**Question** What is an eviction?

**Answer** An eviction is a lawsuit, also known as an "Unlawful Detainer." Since an eviction notice typically results in a homeowner having to move or sell his/her home, IMMEDIATELY contact an attorney and/or a legal agency for assistance. Turn to **Legal Services**, on page 36.



**Question** What is the eviction process for non-payment of rent?

**Answer** A typical eviction process is described below:

- 1) Management serves a combined 3-day notice/60-day notice to pay rent after its due date, or the tenancy will be terminated. If rent is not paid within the time allowed, the tenancy is terminated and the homeowner has (60) sixty-days to sell or remove the home from the mobilehome park.
- 2) If the homeowner fails to sell or remove the home, the mobilehome park owner may file an "Unlawful Detainer." The homeowner has only (5) five-days to respond by filing an "Answer" to the "Unlawful Detainer" in Superior Court.
- 3) If the homeowner files an "Answer" to the "Unlawful Detainer," a Hearing date in Superior Court is scheduled. A judge will make a decision based on evidence and testimony.
- 4) If the judge rules against the homeowner, he/she must sell or remove his/her mobilehome. If the homeowner fails to sell or remove his/her mobilehome, the park owner may be granted a "Writ of Possession," and a sheriff will either deliver a notice to the homeowner or post it on his/her door allowing up to (5) five-days to sell or remove his/her mobilehome. After the (5th) fifth day, if the homeowner has not moved, a sheriff will physically remove the homeowner from his/her mobilehome and allow management to change the locks. Management may also place a lien on the mobilehome.

*Note: For more information regarding the eviction process, contact an attorney and/or a legal agency for assistance. Turn to **Legal Services**, on page 36. Refer to the *Mobilehome Residency Law, at California Civil Code Section 798.56(e)*.*

## RETALIATION

*These are general questions. For specific questions related to "Retaliation," consult an attorney and/or a legal agency.*

**Question** Is a resident protected against retaliation?

**Answer** It is unlawful for management to evict, threaten to sue for possession of a mobilehome, harass a homeowner, or arbitrarily reduce services to a homeowner because he/she exercises his/her legal right under the Mobilehome Rent Ordinance. Refer to the *Mobilehome Rent Ordinance Chapter 17.22.2010*. For more information on retaliation, contact an attorney and/or a legal agency for assistance. Turn to **Legal Services**, on page 36.

## FAIR HOUSING

28 { Q & A } *These are general questions. For specific questions related to "Fair Housing," consult an attorney and/or a legal agency.*

**Question** What is "Fair Housing?"

**Answer** Fair Housing is housing without discrimination. It is illegal to discriminate based on race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, sources of income, sexual orientation, age, or any other arbitrary factor. If you believe you are a victim of discrimination, you may contact a community-based organization that specializes in Fair Housing issues. Turn to **Fair Housing**, on page 36.

## MEDIATION

*These are general questions. For specific questions related to "Mediation," consult an attorney and/or a legal agency.*

**Question** What is "mediation?"

**Answer** Mediation is a process of communication in which a neutral person helps two or more people negotiate a solution to a dispute.

**Question** Who can provide mediation services?

**Answer** The Santa Clara County's Dispute Resolution Program provides mediation services for homeowners and management involved in housing-related disputes. Turn to **Mediation Services**, on page 37.

## HEALTH & SAFETY

*These are general questions. For specific questions related to "Health and Safety," consult an attorney and/or a legal agency.*

**Question** Is there a State law that regulates mobilehome parks?

**Answer** Yes. The State *Mobilehome Residency Law*, California Civil Code Section 798, regulates mobilehome parks. For information, visit [www.leginfo.ca.gov/calaw.html](http://www.leginfo.ca.gov/calaw.html), select Civil Code, and search for 798.



**Question** Who inspects health and safety problems in mobilehome parks?

**Answer** The State Department of Housing and Community Development (HCD) regulates code enforcement, which includes health and safety inspections. Turn to **Government**, on page 36.

**Question** Who handles disputed utility billing (electrical, gas and water for sub-meter utility systems)?

**Answer** State and local law regulates utility billing and prices for electrical and gas services to master metered/sub-metered parks. Notify management of such issues and contact the Public Utilities Commission and/or the County of Santa Clara, Weights and Measures.

*Note: The Mobilehome Residency Law of California allows management to bill homeowners separately for these utility charges. Turn to **Utilities**, on page 37.*

**Question** Who handles garbage and/or sewer billings?

**Answer** The City of San José, Recycle Plus Program handles garbage issues. For sewer issues, contact the City of San José, Public Works and notify management of such issues. Turn to **Utilities**, on page 37.

**Question** Who handles community pool maintenance issues at mobilehome parks?

**Answer** Notify the park manager and contact the County Environmental Health Department. Turn to **Government**, on page 36.

**Question** Who handles issues regarding hazardous fallen trees?

**Answer** If a tree is an immediate hazard, there are downed power lines, or someone is injured, call 911 and notify management. You may also contact the State Department of Housing and Community Development (HCD). Turn to **Government**, on page 36.

**Question** Who assists homeowners with mobilehome repairs?

**Answer** The City of San José offers a limited number of low interest loans and grants to LOW-INCOME QUALIFIED households for EMERGENCY repairs (i.e. a leaking roof). For more information, contact the City of San José, Housing Rehabilitation Program. Turn to **Government**, on page 36.

## FEES & PASS-THROUGH

*These are general questions. For specific questions related to "Fees and Pass-Through," consult an attorney and/or a legal agency.*

**Question** May management charge a homeowner for the City of San José Mobilehome Fee?

**Answer** Yes. The Mobilehome Rent Ordinance allows for a Mobilehome Fee. The fee amount in 2009 is \$13.82 per lot and one-half (\$6.91) of the Fees may be passed on to the homeowner.



**Question** May management charge a homeowner for the annual Housing and Community Development (HCD) Inspection Fee?

**Answer** Yes. State law allows for an Inspection Fee to support State health and safety inspections. The annual Fee amount is \$4.00 per lot and \$2.00 may be passed on to a mobilehome resident. For more information, contact the State Department of Housing and Community Development (HCD). Turn to **Government**, on page 36.

**Question** May management charge a homeowner for utility charges?

**Answer** Yes. The *Mobilehome Residency Law, California Civil Code Section 798.41* allows management to pass through to the homeowner certain utility charges such as sewer, trash collection, and cable T.V., provided that certain conditions are met. Contact management for more information.

**Question** May management charge a homeowner for an annual library fee?

**Answer** Yes. The City of San José passed a bond for a Library Fee assessment, which may be passed through to homeowners per the *Mobilehome Residency Law, California Civil Code Section 798.49*. The Fee is a tax bill on the number of individual lots per each parcel in mobilehome parks. The Fee of each mobilehome park differs. Contact your park manager for assistance.

**Question** May a park owner charge a homeowner for a creek fee?

**Answer** No. This fee is not allowed.

## Mobilehome Park Roster

**Ace Trailer Inn Village**  
2800 Monterey Road  
San José, CA 95111  
408.225.3204

**Arbor Point (San José)**  
540 Bonita Avenue  
San José, CA 95116  
408.292.9694

**Bella Rosa Mobile Lodge**  
1500 Virginia Place  
San José, CA 95116  
408.923.3066

**Cal-Hawaiian Mobile Estates**  
637 Snell Avenue  
San José, CA 95136  
408.227.0330

**Caribees**  
2855 Senter Road  
San José, CA 95112  
408.629.0624

**Casa Alondra**  
5450 Monterey Road  
San José, CA 95111  
408.354.1188

**Casa Del Lago**  
2151 Old Oakland Road  
San José, CA 95131  
408.432.1320

**Chateau la Salle**  
2681 Monterey Road  
San José, CA 95136  
408.298.3230

**Colonial Mobile Manor**  
3300 Narvaez  
San José, CA 95136  
408.269.4404

**Cottage Trailer Park**  
111 Bernard Avenue  
San José, CA 95112  
408.294.3811

**County Fair**  
270 Umbarger Road - Office  
San José, CA 95111  
408.225.4333

**Coyote Creek MH Community**  
2580 Senter Road  
San José, CA 95111  
408.279.0925

**Foothills Mobilelodge**  
655 S. 34th Street  
San José, CA 95116  
408.251.3655

**Garden City Trailer Park**  
1309 Oakland Road #24  
San José, CA 95112  
408.279.9981

**Golden Wheel Park**  
900 Golden Wheel Park Drive  
San José, CA 95112  
408.453.3575

**Hillview**  
241 S. Jackson Street  
San José, CA 95116  
408.258.4858

**Hilton Mobile Park**  
661 Bonita Avenue  
San José, CA 95116  
408.297.2363

**Hometown Eastridge Mobile Estates**  
1955 Quimby Road  
San José, CA 95111  
408.251.1401

**Imperial San José Mobile Estates**  
5770 Winfield Boulevard  
San José, CA 95123  
408.227.1390

**La Buona Vita**  
445 N. Capitol Avenue  
San José, CA 95134  
408.923.3119

**Lamplighter San José**

4201 N. 1st Street  
San José, CA 95134  
408.321.9331

**Magic Sands**

165 Blossom Hill Road  
San José, CA 95123  
408.225.1010

**Mayfair Trailer Park**

1840 S. 7th Street  
San José, CA 95112  
408.294.1707

**Mill Pond I**

2320 Canoas Garden Avenue  
San José, CA 95136  
408.267.9790

**Mill Pond II**

2320 Canoas Garden Avenue  
San José, CA 95136  
408.267.9790

**Mobile Home Manor**

1300 E. San Antonio Street  
San José, CA 95116  
408.294.6789

**Monterey Oaks**

6130 Monterey Road  
San José, CA 95138  
408.225.1475

**Moss Creek MH Community**

2929 Aborn Square  
San José, CA 95121  
408.274.5600

**Mountain Shadows**

633 Shadow Creek Drive  
San José, CA 95136  
408.269.9090

**Mountain Springs**

625 Hillsdale Avenue  
San José, CA 95136  
408.266.7611

**Oak Crest Estates**

4271 N. 1st Street  
San José, CA 95134  
408.321.9499

**Old Orchard**

2135 Little Orchard Road  
San José, CA 95125  
408.244.9220

**Pepper Tree Estates**

2150 S. 1st Street  
San José, CA 95112  
408.275.0588

**Quail Hollow**

1445 S. Bascom Avenue  
San José, CA 95118  
408.371.0116

**Rancho Santa Teresa**

510 Saddle Brook Drive  
San José, CA 95136  
408.227.9033

**River Glen MH Park**

2150 Almaden Road  
San José, CA 95125  
408.269.2367

**Riverbend**

1358 Old Oakland Road  
San José, CA 95112  
408.453.5566

**San José Trailer Park**

527 McLaughlin Avenue, Suite #6  
San José, CA 95111  
408.292.8942

**San José Verde**

555 Umbarger Road #150  
San José, CA 95111  
408.295.3342

**Silver Creek Mobile Estates**

1520 E. Capitol Expressway  
San José, CA 95121  
408.274.5455

**Sleepy Hollow Trailer**

4210 Monterey Road  
San José, CA 95111  
408.227.8873

**South Bay Mobile Home Park**

1350 Old Oakland Road  
San José, CA 95112  
408.453.8131

**Spanish Cove**

2600 Senter Road  
San José, CA 95111  
408.275.9360

**Summerset Mobile Estates**

P.O. Box 878  
Alviso, CA 95002  
408.964.1990

**Sunset Mobile Manor**

555 McLaughlin Avenue  
San José, CA 95112  
408.297.0360

**Sunshadow MH Community**

1350 Panoche Avenue  
San José, CA 95122  
408.293.9317

**Town & Country Mobile Village**

195 Blossom Hill Road  
San José, CA 95111  
408.225.3165

**Trailer-Tel Mobile Manor**

1212 Oakland Road  
San José, CA 95112  
408.453.3535

**Triangle Trailer Park**

1410 N. 10th Street  
San José, CA 95131  
408.275.6771

**Villa Teresa**

5680 Santa Teresa Boulevard  
San José, CA 95123  
408.226.1900

**Village of the Four Seasons**

200 Ford Road  
San José, CA 95138  
408.225.7255

**Walnut Park**

4320 S. Monterey Road  
San José, CA 95111  
408.225.2411

**Western Trailer Park**

2784 Monterey Highway  
San José, CA 95111  
408.227.8473

**Westwinds Manufactured Home**

500 Nicholson Lane  
San José, CA 95134  
408.432.7440

**Whispering Hills**

2780 E. Capitol Expressway  
San José, CA 95148  
408.274.4233

**Willow Glen Mobile Home Estates**

1850 Evans Lane  
San José, CA 95125  
408.264.5020

**Winchester Ranch**

500 Charles Cali Drive  
San José, CA 95117  
408.249.7661

**Woodbridge MH Community**

3051 Towers Lane  
San José, CA 95121  
408.274.7500



# Resource Numbers

## Emergency Services/Public Safety

Police, Fire, Paramedic .....	911
Non-emergency Police .....	311
Cellular emergency calls .....	408.277.8911
Crime Prevention .....	408.277.4133
Crime Stoppers (anonymous) .....	408.947.7867
Drug (Narcotics) Hotline .....	408.971.3784
Gang Hotline .....	408.293.4264
Graffiti Hotline .....	408.277.2758
Fire Dept. Public Info .....	408.277.4444

## Government

Mayor's Office .....	408.535.4800
City Council Office .....	408.535.4900
City Hall Information .....	408.535.3500
City Finance & Treasury .....	408.535.7055
City Libraries .....	408.808.2000
City Recycle Plus Program .....	408.535.3515
County Environmental Health Department .....	408.918.3400
Deaf Services-TTY .....	408.808.2130
Hazardous City Streets .....	408.277.4373
Housing Rehabilitation Program .....	408.975.4440

*(Emergency Repair Loans for low-income only)*

Mobilehome Advisory Commission .....	408.975.4480
Rental Rights & Referrals Program .....	408.975.4475
San José Prepared! (Emergency Preparedness) .....	408.277.4598
State Housing & Community Development (HCD) Ombudsman .....	800.952.5275
<i>(Building &amp; Installation Permits/Health &amp; Safety Inspections)</i>	
Mobilehome Title & Registration .....	800.952.8356
	916.255.2532

## Courts

Small Claims Court .....	408.370.4480
Superior Court .....	408.882.2100

## Fair Housing

Asian Law Alliance .....	408.287.9710
Bay Area Legal Aid .....	408.283.3700
California Department of Fair Employment and Housing .....	800.884.1684
Law Foundation of Silicon Valley .....	408.293.4790
Legal Aid Society .....	408.283.1540
Project Sentinel .....	408.287.4663

## Legal Services

Asian Law Alliance .....	408.287.9710
Bay Area Legal Aid .....	408.283.3700
Consumer Protection/Mediation .....	408.792.2880
Lawyer Referral Service .....	408.971.6822
Legal Aid Society - Housing .....	408.283.1540

Mental Health Advocacy Project .....	408.294.9730
Santa Clara County Bar Association .....	408.287.2557
Senior Adult Legal Assistance .....	408.295.5991
Senior Legal Hotline .....	800.222.1753
Small Claims Advisor Program .....	408.370.4440

## Mediation Services

County Dispute Resolution Program .....	408.792.2327
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## Mobilehome Advocacy Associations

California Mobilehome Resource & Action Association (CMRAA) .....	408.244.8134
Golden State Manufactured-Home Owners League (GSMOL) .....	800.888.1727
Manufactured Housing Educational Trust (MHET) .....	408.294.1474
Western Manufactured Housing Communities (WMA) .....	800.669.8847

## Parks

Adopt-A-Park Program .....	408.793.4190
Community Gardens .....	408.793.5533

## Recreation

Second Harvest Food Bank .....	408.266.8866
Community Centers .....	408.535.3570
Citywide Sports .....	408.871.3821
Citywide Aquatics .....	408.277.2291
Therapeutic Services .....	408.251.4449

## Senior Services

Council on Aging .....	408.296.8290
Independent Aging Program .....	408.282.8606
Santa Clara County Senior Nutrition and Services .....	408.975.4860
Meals on Wheels (for the homebound) .....	408.350.3246
Brown Bag Program .....	800.984.3663

## Youth Services

After school Homework Centers <i>(Check with student's school)</i> .....	
Work2Future - One Stop .....	408.794.1100

## Utilities

CARE/FARA (Lower PG&E rates based on income) .....	866.743.2273
PG&E Smarter Energy Line .....	800.933.9555
PG&E REACH (Assistance Agency/Pledge Contribution) .....	800.933.9677
PG&E HEAP (Assistance Agency/Pledge Contribution) .....	866.675.6623
Public Utilities Commission (Regulates utility price and services) .....	800.649.7570
Public Works .....	408.535.8300
Recycle Plus Program (Garbage) <i>(Can size, disabled pickup, missed)</i> .....	408.535.3515
LIRA (Lower Garbage Rates Based on Income) .....	408.535.3515
Weights & Measures (Billing & meter enforcement) .....	408.918.4601

## Other

Better Business Bureau .....	408.278.7400
County Consumer Protection .....	408.792.2880
National Fraud Information Center .....	800.876.7060

## Websites to Visit

### **CITY**

City of San José

[www.sanjose.gov](http://www.sanjose.gov)

Department of Housing

[www.sjhousing.org](http://www.sjhousing.org)

Police Report Filing

[www.sjpd.org](http://www.sjpd.org)

Home Repair Program

[www.sjhousing.org/program/homerepair/MH.pdf](http://www.sjhousing.org/program/homerepair/MH.pdf)

Rental Rights and Referrals Program

[www.sjhousing.org/program/rentalrights.html](http://www.sjhousing.org/program/rentalrights.html)

Libraries

[www.sjlibrary.org](http://www.sjlibrary.org)

Recycle Plus

[www.sjrecycles.org](http://www.sjrecycles.org)

### **COUNTY**

Dispute Resolution Program

[www.sccgov.org/portal/site/drps](http://www.sccgov.org/portal/site/drps)

Environmental Health Department

[www.ehinfo.org/portal/site/deh/#](http://www.ehinfo.org/portal/site/deh/#)

Property Taxes

[www.scc-assessor.org](http://www.scc-assessor.org)

Recorder's Office

[www.clerkrecorder.org/portal/site/rec/#](http://www.clerkrecorder.org/portal/site/rec/#)

Small Claims Advisory Program

[www.sccsuperiorcourt.org/smallclaims](http://www.sccsuperiorcourt.org/smallclaims)

Superior Court

[www.sccsuperiorcourt.org](http://www.sccsuperiorcourt.org)

### **STATE**

Codes and Standards

[www.hcd.ca.gov/codes/mhp](http://www.hcd.ca.gov/codes/mhp)

Department of Fair Employment and Housing

[www.dfeh.ca.gov](http://www.dfeh.ca.gov)

DMV Registration

[www.dmv.ca.gov](http://www.dmv.ca.gov)

Housing and Community Development

[www.hcd.ca.gov](http://www.hcd.ca.gov)

Landlord/Tenant Issues

[www.dca.ca.gov/publications/landlordbook/index.html](http://www.dca.ca.gov/publications/landlordbook/index.html)

Ombudsman Office

[www.hcd.ca.gov/codes/ol/ombpg-menu.html](http://www.hcd.ca.gov/codes/ol/ombpg-menu.html)

Landlord/Tenant Issues

[www.dca.ca.gov/legal/landlordbook](http://www.dca.ca.gov/legal/landlordbook)

California Legislation Information

[www.leginfo.ca.gov](http://www.leginfo.ca.gov)

Ombudsman Office

[www.hcd.ca.gov/codes/ol/ombpg-menu.html](http://www.hcd.ca.gov/codes/ol/ombpg-menu.html)

### **LEGAL AGENCIES**

Asian Law Alliance

[www.asianlawalliance.org](http://www.asianlawalliance.org)

Bay Area Legal Aid

[www.baylegal.org/offices/santa-clara](http://www.baylegal.org/offices/santa-clara)

Santa Clara County Bar Association

[www.sccba.com](http://www.sccba.com)

SCC Lawyer Referral Service

[www.sccaa.com/legalconsumer](http://www.sccaa.com/legalconsumer)

Mental Health Advocacy Project

[www.lawfoundation.org/mhap.asp](http://www.lawfoundation.org/mhap.asp)

Bay Area Legal Aid

[www.baylegal.org/offices/santa-clara](http://www.baylegal.org/offices/santa-clara)

Senior Legal Hotline

[www.seniorlegalhotline.org](http://www.seniorlegalhotline.org)

Senior Adult Legal Assistance

[www.sala.org](http://www.sala.org)

Project Sentinel

[www.housing.org](http://www.housing.org)

Legal Aid Society Housing

[www.legalaidsociety.org](http://www.legalaidsociety.org)

### **OTHER RESOURCES**

Better Business Bureau

[www.bbb.org](http://www.bbb.org)

California Legislation Information

[www.leginfo.ca.gov](http://www.leginfo.ca.gov)

Census Data

[www.factfinder.census.gov](http://www.factfinder.census.gov)

National Fraud Information Center

[www.fraud.org](http://www.fraud.org)