

RENTAL RIGHTS AND REFERRALS

MOBILEHOME OWNERS' AND PARK OWNERS' HAVE RIGHTS AND RESPONSIBILITIES

THE CITY OF SAN JOSE is committed to protecting the rights of mobilehome owners, park owners, and park managers and to providing education and information to improve their relationships. In the case of a rental dispute between a park owner and a mobilehome owner, knowing the law, having access to resources, and exploring options can minimize conflict.

1 KNOW THE LAW REGARDING RENT INCREASES

The Mobilehome Rent Ordinance, set by the City of San José, allows annual rent increases between three and seven percent, based on seventy-five percent of the Consumer Price Index (CPI). A rent increase is allowed only once every 12-months. A notice to raise the rent must be issued 90 days in advance of the increase, as required in Section 798.30 of the California Civil Code (*see Mobile Residency Law below*).

The maximum annual percentage increase, effective October 1st of each year, can be found on the City of San José website: www.sjhousing.org/program/rentdisp.html

2 MOBILEHOMES COVERED UNDER THE ORDINANCE

The Mobilehome Rent Ordinance applies to a mobilehome lot that was issued plumbing, electrical or sewer permits prior to September 7, 1979.

The ordinance does not apply to:

- Lots that received plumbing, electrical and sewer permits after September 7, 1979.
- Spaces owned, operated, or subsidized by a government agency - units that are subsidized by the Housing Assistance Payment Program.

A mobilehome owner resident, who has voluntarily signed a long-term lease agreement, is exempted from the ordinance for as long as the long-term lease is in effect. This applies to rental agreements exceeding 12-months, used for the personal residence of the mobilehome owner, and entered into on or after January 1, 1986. The first paragraph of the rental agreement must contain a provision notifying the mobilehome owner that by entering into the rental agreement the lot will be exempt from the protection of the Mobilehome Rent Control Ordinance for the duration of the rental agreement.

3 MOBILEHOME OWNER RIGHTS

The Mobilehome Residency Law is a state law that governs mobilehome parks. This law focuses on park owner and park resident matters. The park owners must provide mobilehome residents with a copy of this document by February 1st of each year. The Mobilehome Residency Law is available on the State Legislature's website: www.hcd.ca.gov and can be found in Section 798 of the California Civil Code. If you have not received a copy of the Mobilehome Residency Law, please ask your park manager to provide you a copy.

For information on State law, please contact the Mobilehome Ombudsman Office at 800.952.5275. For additional advise on State law, which is outside the scope of the City ordinance, please consult the referral list on the reverse side.

Building Relationships in Rental Communities

REFERRALS AND RESOURCES

Statewide health and safety concerns

Housing and Community Development
P.O. Box 31
Sacramento, CA 95812-0031
800.952.5275 or 916.323.9801
www.hcd.ca.gov

Statewide mobilehome resources

Department of Fair Employment & Housing
111 North Market Street, Suite 810
San José, CA 95113-1102
800.884.1684 or 408.277.1277
www.dfeh.ca.gov

Mobilehome Registration
800.952.8356

Mobilehome associations

California Mobilehome Resources &
Action Association (CMRAA)
P.O. Box 7468
San José, CA 95150-7468
408.244.8134 www.cmraa.org

Golden State Manufactured-Home Owners
League (GSMOL)
P.O. Box 876
Garden Grove, CA 92842
1.800.888.1727 www.gsmol.org

Manufactured Housing Educational Trust (MHET)
950 South Bascom Avenue, #1113
San José, CA 95128
408.294.1474

Western Manufactured Housing Communities
Association (WMA)
455 Capitol Mall, #800
Sacramento, CA 95814
800.669.8847 www.wma.org

Mediation and/or negotiating services

Dispute Resolution Programs
1880 Prunridge Avenue
Santa Clara, CA 95050
408.792.2300
www.sccgov.org

Legal Aid Society, Housing Project
480 North First Street
San José, CA 95113
408.283.1540
www.legalaidsociety.org

Fair Housing Law Project of the Law
Foundation of Silicon Valley
111 West St. John Street, Suite 315
San José, CA 95113
408.293.4790
www.lawfoundation.org

Court information

Small Claims Court
14205 Capri Drive
Los Gatos, CA 95032
408.370.4440
www.scsselfservice.org

Superior Court of California
191 North First Street
San José, CA 95113
408.882.2100
www.sccsuperiorcourt.org

Unfair housing practices and leases

Bay Area Legal Aid (San José)
2 West Santa Clara Street
San José, CA 95112
408.283.3700 www.baylegal.org

Project Sentinel
430 Sherman Avenue, Suite 308
Palo Alto, CA 94306
888.324.7468 www.housing.org

Senior Adults Legal Assistance (SALA)
Central County Office
160 East Virginia Street, Suite 260
San José, CA 95112
408.295.8770 www.sala.org

Mobilehome Ordinance Questions

Rental Rights & Referrals Program
200 East Santa Clara Street
San José, CA 95113
408.975.4480 www.sjhousing.org

Other assistance

Housing Service Partnership
2112 South Monterey Road
San José, CA 95112
408.271.0238