

County of Humboldt
Mobile Home Rent Stabilization Ordinance (MHRSO)
Rules and Guidelines

The purpose of these guidelines is to assist mobile home park owners and renters in understanding key terms of the County's Mobile Home Rent Stabilization Ordinance. The guidelines do not supersede the terms of ordinance as set forth in Title IX, Division 10 of the Humboldt County Code, and should be read in context with the provisions of the ordinance.

1) Calculation of Automatic Annual Allowable Rent Increase

The Automatic Annual Allowable Rent Increase is one-hundred percent (100%) of the difference between the Consumer Price Index (CPI) All Urban Consumers for the San Francisco-Oakland-Hayward Area as reported by the Bureau of Labor Statistics of the United States Department of Labor on January 30 for the current year, and the CPI reported by the Bureau for the prior year.

2) Notice of Automatic Annual Allowable Rent Increase

Annually, on February 15, the County issues a Notice of the Automatic Annual Allowable Rent Increase.

- a) The County Board of Supervisors has delegated to the Planning and Building Department, Housing Division, to make the calculation of the Annual Automatic Allowable Rent Increase, mail Notices regarding the increase, and to post the Notice to the County website and in County buildings as prescribed by Chapter 1 of Division 10.
- b) A Park may increase rent in the amount on the Annual Allowable Rent Increase at any time after receiving the Notice, provided that the renter must receive Notice of the increase as required by state law.
- c) An owner who increases rent beyond the limit shall be required to reimburse the tenant for over payment and submit evidence of such reimbursement. Failure to comply will result in referral to Code Compliance through the civil penalty procedure, Title II, Division 13, section 2131-, et seq. of the Humboldt County Code.

3) Park Size and Determination of the Number of Units

In all cases the number of units registered at the State will determine the number of total base park units prior to exemptions.

4) Annual Registrations

No later than February 1st of each year, the Park owner shall register with the County using the Humboldt County Mobile Home Park Registration Form (See Appendix A). The Park owner is required to provide the following information on the form:

- a) Names, addresses, telephone numbers of each entity with ownership interest.

- b) The name and address of where formal notices should be sent.
- c) Number of mobile home spaces in the park.
- d) Number of spaces covered by this ordinance
- e) Number of exempt spaces and why
- f) Rent schedule, reflecting the current space rent.
- g) Listing of all other charges, including utilities, including the approximate amount of each additional charge.

5) Non-Registration

- a) A park owner failing to report their units will be assumed to have the number of units registered with the state, with no exemptions.
- b) A bill recognizing this number of units will be sent on a quarterly basis.
- c) Late fees will accrue as specified in item 6) e) i) below.
- d) Continued non-registration and non-payment will result in referral to Code Compliance unit through the civil penalty procedure, Title II, Division 13, section 2131-, et seq. of the Humboldt County Code.

6) Administrative Fees

- a) Administrative fees, in the amount of \$5.00 per qualifying space, shall be collected by each park owner.
- b) County will issue quarterly bills for Administrative Fees. The bills are based on the number of spaces reported on the registration form; any changes to the annual registration shall be reported to County so that the bill may be adjusted.
- c) The fees collected shall be submitted in one check to the County on a quarterly basis, within thirty (30 days) after the date of the invoice. The Administrative Fee is not rent. In the event a renter refuses to write a check to the Park, the Park owner may accept a check written out to the County.
- d) The Park owner will maintain a record of the Administrative Fee collected and the amounts due, if any, from each renter on the date of the quarterly invoice. The Park owner will submit the documentation showing amounts collected and amounts owed with payment of each quarterly invoice.
- e) Continued nonpayment of the Administrative Fees by the renter will result in a referral to the Code Compliance unit for enforcement measures. Failure to collect, document, and remit the Fee due to the County by the Park owner will result in a referral to the Code Compliance unit for enforcement measures.

f) Late Fees

- i) Fees not received within 30 days, as specified in the Ordinance, are subject to a 10% late fee, for every month unpaid.
- ii) Fees unpaid for 180 days, will result in a referral to an attorney for revenue recovery.

7) Verification of park, or a portion thereof, built after 1990

Parks claiming an exemption, due to Section 798.17, will be verified using one or more of the following information:

- a) Google Earth Map showing developed area
- b) Permit Application date
- c) Tax Roles

8) Conversion of Park to Another Use

- a) A park converted to a recreation vehicle park prior to adoption of the Mobile Home Conversion ordinance, are required to apply for a conditional use permit. Fees, including penalty fees, associated with the conditional use permit are borne by the applicant. Conversion requires changing licensing with the State of California Housing and Community Development. The County Tax Collector shall be alerted when a conversion has happened.
- b) A partial conversion to recreational vehicles, prior to adoption of the conversion ordinance will be required to apply for a conditional use permit for the applicable units. Fees, including penalty fees, associated with the application will be borne by the applicant. In addition, they shall contact the State of California Housing and Community Development to change licensure.
- c) Any conversion to recreational vehicles after adoption of the Mobile Home Conversion ordinance shall be subject to Sections 313-106.9 of Title III, Division 1, Chapter 3 (Coastal Zoning Regulations) and Section 314-106.9 of Title III, Division 1, Chapter 4 (Inland Zoning Regulations).
- d) A park that converts to personal use shall change licensing with the State of California Housing and Community Development. Reuse of that property for another use shall be subject to regular permitting processes.
- e) The County will continue to monitor on an annual basis until verification that the Park Owner has made the required changes.

9) Vacant Park for Sale

A vacant park that is for sale will be considered exempt. The new owners would be subject to mobile home rent stabilization and mobile home conversion ordinances if the use changes to personal it would be required to change that information with the State of California Housing and Community Development, and subject to regular permitting processes.

a) Allowable Exemptions; not listed in Ordinance

i) Temporary Vacancy

Spaces that are temporarily vacant due to unit turn-over or abandonment shall be exempt from space rent for up to one year. When a person moves, they often abandon the mobile home. This is time consuming and costly to the owner to remove the existing mobile and find a new renter.

ii) Necessary Vacancy

Spaces in older (trailer) parks that are vacant to allow for utilities or fire road access shall be exempt from space rent. Trailer parks typically have narrow spots and have had to use spaces for utilities, and in some cases as road access as trailers have gotten larger, for example with pop-outs.

b) Disallowed Exemptions; not listed in Ordinance

i) Abandoned mobile homes, that remain after 12 months

This is an expense to the owner, but to leave them means losing a potential housing unit. By allowing this exemption it could encourage leaving abandoned units on site. See item 9. a) i).

ii) Leaving spaces vacant by choice.

In some cases, units are left vacant because the owner wants to get out of the business of mobile homes, in others it is because significant work is required to prepare a rental space. By allowing this as an exemption it could encourage leaving unmaintained spaces and reduce the potential number of housing units. See item number 3. above.

iii) Spaces being used for short-term Recreational Vehicles.

If RV's are parked more than 9 months they are considered mobile homes per state law. If RVs are parked less than 9 months they are considered visitor serving. If they are visitor serving they should have a conditional use permit for this and pay the recreational tax.

iv) Spaces being rented to Manager.

A manager should have the same rights and responsibilities as their neighbors. If the owner chooses to waive rent for managers that is by choice, the space shall be subject to administrative fees and paid by the owner.

10) Posting of Ordinance and Other Materials

In the event a Park does not maintain an office, any materials that are required to be posted in an office shall be held on site with a designated resident and be available for any space renter to review upon request.

11) Tenant Representatives

a) Election of a Tenant Representative is optional and neither the County nor the park owner shall be required to direct or manage the process.

b) Only tenants that pay the \$5.00 fee are eligible to vote for tenant representatives.

c) Tenants who are exempted shall not have the right to pay vote.

- d) There are no required procedures for election of a Tenant Representative, but the recommended procedures are:
 - i) Solicitation of qualified candidates
 - ii) Notice of election date and description of where the ballots will be collected
 - iii) Secret ballot
- e) Election results, with designated representative, and all applicable election materials shall be submitted to the County on an annual basis, as specified in the ordinance.

12) Site Inspection

To ensure that Registrations are correct and up to date, all parks shall be subject to periodic on-site inspections. The owner will receive a 30-day notice of such inspection.

