

ORDINANCE NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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ORDINANCE AMENDING CHAPTER 1.30 OF THE SAN MATEO COUNTY ORDINANCE CODE

SECTION 1. FINDINGS. The Board of Supervisors of the County of San Mateo (“County”) hereby finds and declares as follows:

WHEREAS a review by County staff of the San Mateo County Mobilehome Rent Control Ordinance (the “Ordinance”), codified at Chapter 1.30 of the San Mateo County Ordinance Code, and historical compliance trends indicate that the County has never received a petition from the owner of a mobilehome park located in the unincorporated area of the County requesting an additional rental increase under the Ordinance; and

WHEREAS in connection with this review, County staff has determined that most mobilehome parks in the unincorporated area of the County are charging rents at levels permitted under the terms of the Ordinance but that some tenants may be directed into longer-term leases (i.e., longer than one year) to avoid the provisions of the Ordinance; and

WHEREAS these two issues – mobilehome park owners not petitioning for rental increases and tenants being routed into longer-term leases – may result, to an extent, from a lack of knowledge regarding the Ordinance and its requirements; and

WHEREAS County staff has determined that, to date, the County has not collected the monthly \$2.00 per space administration fee currently required under the Ordinance, but also that the cost of administering the Ordinance is likely to remain relatively modest and that this administrative fee is ultimately borne by the mobilehome park tenants, many of whom are low-income families and seniors; and

WHEREAS the Ordinance is, in part, a component of the County’s efforts to

ensure the availability of a range of affordable housing options and the County's Department of Housing has significant expertise regarding the economics of the local housing market, including with respect to mobilehomes; and

NOW, THEREFORE, the Board of Supervisors of the County ordains as follows:

SECTION 2. DIRECTOR OF HOUSING AS HEARING OFFICER. The definition of "Hearing Officer" in Section 1.030.020 – Definitions is hereby amended to read as follows:

"Hearing Officer" means the Director of the Department of Housing or his/her designee.

SECTION 3. ELIMINATION OF ADMINISTRATIVE FEE AND ADOPTION OF ANNUAL REPORTING FORM. Section 1.30.030.1 – Administrative Fee is hereby deleted in its entirety and replaced with the following:

1.30.030.1 – Annual Reporting Form

Each mobilehome park owner shall complete and return to the County Department of Housing an annual report in the form and pursuant to the schedule developed by the Director of the Department of Housing, which report includes the following information: (1) current contact information for the mobilehome park owner and manager; (2) the total number of mobilehome spaces in the mobilehome park occupied by mobilehome tenants; (3) monthly rental rates for all mobilehome tenants within the mobilehome park; (4) the total number of mobilehome spaces occupied, at any time during the reporting period, by any other form of

vehicle or shelter; (5) any spaces within the mobilehome park converted to any other use; and (6) any other information which may be required by the Director of the Department of Housing. The failure to complete and return the annual report to the Department of Housing within 30 days of the date indicated by the Director of the Department of Housing shall be an infraction subject to all penalties and remedies authorized by law.

SECTION 4. POSTING AND TRANSLATION REQUIREMENTS. Section

1.30.100 – Prospective Buyer Protection is hereby amended to read as follows:

1.30.100 – Perspective Buyer Protection

It is unlawful for any mobilehome park owner or manager to directly or indirectly require any homeowner or perspective homeowner to sign a rental agreement with a term in excess of twelve (12) months as a condition of residence in the mobilehome park. The provisions of this Chapter (Section 1.30.010, *et seq.*) shall be posted in the rental office of all mobilehome parks and the material terms of the Chapter included in all mobilehome park rental agreements in the language in which the rental agreement is negotiated. The Director of the Department of Housing shall prepare and make available to all mobilehome park owners and tenants a document setting forth the material terms of this Chapter, and the posting of the text of such document and inclusion of the text of such document (or appropriate translation of the terms of the document) shall constitute compliance with this section.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective 30 days from the date of its passage.

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