

ORDINANCE NO. .

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

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AN ORDINANCE AMENDING CHAPTER 1.30 OF THE SAN MATEO COUNTY ORDINANCE CODE REGARDING MOBILEHOME RENT CONTROL

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

WHEREAS, in December 2015, the Board of Supervisors amended portions of the San Mateo County Mobilehome Rent Control Ordinance (the “Ordinance”), codified at Chapter 1.30 of the San Mateo County Ordinance Code, including by adding an annual reporting requirement, which requirement took effect in 2016; and

WHEREAS, most mobilehome park owners within the unincorporated area have complied with the annual reporting requirement and submitted reports to the County Department of Housing, but there have been some instances of non-compliance; and

WHEREAS, County staff engaged in outreach efforts with both mobilehome park owners and residents regarding the Ordinance amendments; and

WHEREAS, County staff is aware that the mobilehome parks in the unincorporated area of the County are occupied by different structures, including mobilehomes as defined in Civil Code Section 798 *et seq.*, and other forms of vehicles designed or used for human habitation, including camping trailers, recreational vehicles, motorhomes, slide-in campers, or travel trailers; and

WHEREAS, after a review of the annual reports submitted, attempts to achieve compliance with the annual reporting requirement, and community outreach efforts, staff recommends that further amendments to Ordinance specifically, to do the following: (a) clarify the definition of the term “Mobilehome” as currently used in the Ordinance, (b) define the term “Mobilehome Space,” as currently used in the Ordinance, and (c) clarify available audit and enforcement mechanisms as a result of the failure to comply with the annual reporting requirement; and

WHEREAS, this Ordinance is, in part, a component of the County’s efforts to ensure the availability of a range of affordable housing options; and

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

SECTION 2. DEFINITION OF MOBILEHOME. The definition of “Mobilehome” in Ordinance Code Section 1.30.020 – Definitions is hereby amended to read as follows:

“Mobilehome” as used in this Chapter, means those structures defined in California Civil Code Section 798, *et seq.*, and other forms of vehicles designed or used for human habitation, including camping trailers, recreational vehicles, motorhomes, slide-in campers, or travel trailers, that occupy a site in a Mobilehome Park.

SECTION 3. DEFINITION OF MOBILEHOME SPACE. The following definition of “Mobilehome Space” is hereby added to Ordinance Code Section 1.30.020 – Definitions:

“Mobilehome Space” means the site within a Mobilehome Park intended, designed, or used for the location or accommodation of a Mobilehome and any accessory structures or appurtenances attached thereto or used therewith.

SECTION 4. AUDIT AND ENFORCEMENT FOR FAILURE TO COMPLY

WITH REQUIREMENTS OF CHAPTER. Ordinance Code Section 1.30.030.1 – Annual

Reporting Form is hereby amended in its entirety to read as follows:

1.30.030.1 – Annual Reporting Form

- (a) 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 Mobilehome 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.
- (b) Where the rent for a Mobilehome Space in effect on July 1, 2003 or any other information required in the Mobilehome Park's annual reporting form is missing or unavailable or a Mobilehome Park Owner fails to otherwise comply with the annual reporting requirement, the Department of Housing may review all available records of the Mobilehome Park to complete the annual report, including, without limitation, leases, tenant files, and bank statements, financial reports, and/or other financial data of the Mobilehome Park. The Mobilehome Park Owner shall make its records available for inspection upon a request by the Department of Housing and/or its designee(s).
- (c) 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, and/or any other violation of this Chapter, shall be subject to an administrative citation issued pursuant to the Section 1.40.010, *et seq.*, of this Code. However, notwithstanding Section 1.40.070, the amount of the penalty imposed for each violation of this Chapter shall be five hundred dollars (\$500.00). Each day a violation exists is a separate offense; therefore, the \$500.00 penalty imposed by this Chapter shall be imposed each and every day the violation continues to exist.

- (d) The administrative remedies in this Chapter are in addition to and do not supersede or limit any and all other remedies provided by law. The remedies provided in this Chapter are cumulative and not exclusive.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance.

SECTION 6. EFFECTIVE DATE. The amendments to the Ordinance shall be effective 30 days from the date of their passage.

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