



Frequently Asked Questions

Ventura County Mobile Home Park Rent Control Program

County of Ventura • Resource Management Agency • Planning Division

800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-5042 • vcrma.org/divisions/planning

Questions and Answers

Regarding the Ventura County Mobile Home Park Rent Control Program

Q. Does the County of Ventura regulate mobile home park rent increases?

A. Yes. In 1983, the Ventura County Board of Supervisors adopted a Mobile Home Park Rent Control Ordinance (Ordinance). The Ordinance protects the owners of mobile home dwelling units from unreasonable rent increases, while at the same time recognizing the need for park owners to receive a fair return on their property and rental income sufficient to cover operation costs. View the Mobile Home Park Rent Control Ordinance.

According to the California State Mobile Home Residency Law (2014 MRL), at last count, 102 local jurisdictions have rent control in some form for mobile home parks.

Q. Who oversees and administers the Mobile Home Park Rent Control Program in the County of Ventura unincorporated areas?

A. The Resource Management Agency, Planning Division, has been tasked with administering the Ordinance. Planning Division staff reviews ministerial rent increase applications (i.e., Social Security Cost of Living Adjustment Annual Rent Increase Application) for completeness and consistency with the Ordinance, as well as assists the park owners and residents with questions pertaining to the program.

The Mobile Home Park Rent Review Board (Rent Review Board) reviews all discretionary rent increase applications (e.g., Utility Separation Applications) at a scheduled public hearing. The Rent Review Board consists of five board members appointed by the Board of Supervisors for a three year term.

If you have any questions about the program, please contact Ashley Cook, Staff Administrator, at Ashley.Cook@ventura.org or (805) 654-5042

Q. How often are the Rent Review Board meetings held?

A. The Rent Review Board meetings are typically held on the fourth Wednesday of the month, quarterly (every February, May, August, and November), or as needed, at 1:00 p.m. in the County of Ventura Government Center, Hall of Administration Building, Multi-purpose Room, 800 S. Victoria Avenue, Ventura, CA 93009.

If you are interested in receiving an automated email reminder of each of the scheduled Rent Review Board meetings, please sign up at <http://www.ventura.org/rma/planning/hearings-agendas/mhprrb.html>.

Q. How many different types of rent increase applications are allowed by the Rent Control Ordinance?

A. There are five rent increase applications:

(1) Section 81005(b): Ministerial Social Security Cost of Living Adjustment

This amount of rent increase allowed by this type of rent increase application is related to the Social Security Cost of Living Adjustment (SSCOLA) released by the Social Security Administration each September. The Ordinance allows a rent increase of between two and eight percent each year, but this amount can be no more than the SSCOLA, unless the SSCOLA is less than 2%. A minimum increase of 2% is allowed by the ordinance each year. This type of rent increase application is reviewed at the staff level and does not require a public hearing before the Rent Review Board.

In addition, if ownership is transferred, the space rent may be decontrolled with an increase in rent of \$72 or 15 percent of the Park's average rent, whichever is less, once every four years. Prior to increasing the rent, the park owner is required to submit a proposed rent increase schedule and a proof of service to Rent Review Board staff. The proof of service states that each affected resident has been notified within 90 days of the effective rent increase date. Note: Space rents may be increased only once per year.

(2) Section 81005(e): Utility Separation

Utility costs may be separated from the base rent by the mobile home park owner and may change over time when there are rate increases imposed by the utility company. For example, water, sewer, and trash services can be separated from the monthly rent and billed to residents individually. When this type of application is approved, the rent is reduced by the amount equal to the current utility cost as determined by the Rent Review Board. Thereafter, the resident pays the actual cost for the utility as a monthly fee billed separately from the space rent.

This type of rent increase application is reviewed and approved by the Rent Review Board at a public hearing.

(3) Section 81005(f): Service Reduction

A rent increase may occur when significant housing services are permanently reduced or disrupted for an unreasonable length of time without a corresponding reduction in the dollar amount of the space rent. It is the specific intent of the Mobile Home Park Rent Control Ordinance to prohibit such indirect rent increases. Affected residents may file a petition (application) with the Rent Review Board for this type of indirect rent increase. This type of rent increase application is determined by the Rent Review Board at a public hearing.

(4) Section 81006: Completely New Capital Improvements

Space rent may be increased if a majority of the affected spaces have consented to the expense for a new capital improvement, such as a new swimming pool. This type of rent increase application is reviewed at the Rent Review Board staff level and does not require a public hearing before the Rent Review Board.

(5) Section 81007: Discretionary Increases

Park owners may apply for a discretionary rent increase in cases where the facts and circumstances show that the current park rent income is less than when the park was purchased. In evaluating a discretionary rent increase proposal, the Rent Review Board shall consider, along with all other relevant factors, changes in costs to the park owner attributable to increases or decreases in master land and/or facilities lease rent, utility rates, property taxes, capital improvements and more. This type of rent increase application is determined by the Rent Review Board at a public hearing.

Q. Are all mobile home spaces covered under the Ordinance?

A. No. Section 81002 of the Ordinance identifies specific exemptions from the Ordinance. In addition to the exemptions specified in the Ordinance, the Mobile Home Residency Law states that if a resident enters into a long-term lease of more than one year in length, state law provides that the lease is exempt from any local rent control ordinance now in existence or enacted in the future (MRL §798.17).

Some other examples of exemptions are: mobile home park-owned units; mobile home parks owned and operated by the United States Government, the State of California, or the County of Ventura; and mobile home parks constructed after September 1, 1982. For a complete list of exemptions, please refer to Section 81002 of the Ordinance.

Q. How often can rents be raised?

A. Space rents cannot be raised more than once a year, except under specific circumstances when a mobile home is transferred.

Q. How much can rents be raised?

A. Space rents can be raised annually in correlation with the current percent of the Social Security Cost of Living Adjustment (SSCOLA), between two and eight percent, without a public hearing. If a park owner requests an increase that is more than what is allowed by the SSCOLA, an application for a discretionary rent increase is required and a public hearing will be scheduled before the Rent Review Board. The dollar amount of the rent increase will be decided by the Rent Review Board.

Q. Who responds to health and safety complaints in a mobile home park?

A. The Ordinance provides Rent Review Board staff very limited authority in regards to park maintenance in a mobile home park. The Rent Review Board staff and the Rent Review Board do not have the authority address anything other than mobile home park rent control issues. Many resident concerns involve leasing disputes, park rules and regulations, and physical improvement standards, which are covered by the Mobile Home Residency Law, §798. However, the state does not have the authority or responsibility to enforce the Mobile Home Residency Law. Violations of the Mobile Home Residency Law are usually civil matters between the mobile home park owner and the mobile home resident to be resolved in court, if necessary.

However, if a resident believes that there are non-compliance issues regarding sewer, water, and electrical systems in the mobile home park, he/she may file a complaint with the state Department of Housing and Community Development (HCD). HCD has jurisdiction to inspect mobile home parks in the Ventura County community to assure that a reasonable level of health and safety is maintained in those parks. Refer to HCD's website at www.hcd.ca.gov/codes/mp/ or call the State Mobile home Ombudsman at (800) 952-5275.

In addition to filing a complaint with the HCD, a resident may file a Service Reduction petition (application) with Planning staff if significant housing services (i.e., water, sewer, gas, laundry facilities, and electricity) have been permanently reduced or disrupted for an unreasonable length of time without a corresponding reduction in the dollar amount of the space rent. It is the specific intent of the Ordinance to prohibit such indirect rent increases. Affected residents may file an application with the Rent Review Board for this type of indirect rent increase. Service Reduction petitions are reviewed by the Rent Review Board at a public hearing. For more information about this process, please contact Ashley Cook, the Rent Review Board Staff Administrator.

Q. Can rents be raised when a mobile home is sold or transferred?

A. Yes. Section 81005(c) of the Ordinance allows a park owner to increase a space rent no more than once every four years at a rate of 15 percent of the average of the existing space rent of the affected spaces or \$72, whichever is lesser, upon transfer of ownership of a mobile home dwelling unit (referred to as a "vacancy decontrol").

A mobile home dwelling unit shall be deemed to have changed ownership when an existing tenant transfers all of his or her rights, title and interest in it, except that it shall be deemed not to have changed ownership when either: (1) an existing tenant acquires a replacement mobile home dwelling unit and locates the replacement on and continues to occupy the space on which the replaced unit had been located; or, (2) when there is a transfer of all right, title and interest in the mobile home dwelling unit by a tenant to any joint tenant or family relative by gift, devise, or operation of law.

Q. Are there any other resources for property owners and residents of mobile home parks?

A. Some resources that may be of interest are provided below:

- The Housing Rights Center (HRC) provides housing counseling, discrimination issues, tenant rights, and tenant/landlord counseling. The HRC can be reached at (800) 477-5977 or at www.housingrightscenter.org.
- The County of Ventura Self-Help Legal Access Center (LAC) provides self-help resources for citizens on legal and court matters. The LAC can be reached at (805) 654-3962 or www.ventura.courts.ca.gov/shlac.html.
- Project Understanding provides resources for eviction protection. Project Understanding can be reached at (805) 654-1326 or www.projectunderstanding.org.
- Contact the U.S. Department of Housing and Urban Development (HUD) for questions related to senior housing at a mobile home park. HUD can be reached at (800) 333-4636 or www.hud.gov.
- The Golden State Manufactured-Home Owners League (GSMOL) is a statewide non-profit organization that supports manufactured-home owners (residents). If you have questions, contact the following Region 8 representatives:

Jill Martinez
213 Iris Way
Ventura, CA 93004
Home: (805) 323-5859
Cell: (805) 982-0013

Cyndi Brockett
121 La Fontuna
Newbury Park, CA 91320
Phone: (805) 376-1307

For more information, please visit their website at www.gsmol.org.

- The Western Manufactured-Housing Community Association (WMA) is a non-profit organization established for the exclusive purpose of promoting and protecting the interest of owners, operators, and developers of manufactured-home communities in California. The WMA can be reached at (916) 448-7002 or www.wma.org.

- The California Public Utilities Commission (PUC) regulates privately owned electric, natural gas, telecommunications, water, railroad, rail transit, and passenger transportation companies. The PUC serves the public interest by protecting consumers and ensuring the provision of safe, reliable utility service and infrastructure at reasonable rates, with a commitment to environmental enhancement and a healthy California economy. The PUC can be reached at (800) 848-5580 or www.cpuc.ca.gov.

Q. What protection do I have if the park owner retaliates against me for demanding my rights?

- A. Pursuant to Sections 81013 and 81014 of the Ordinance, it is unlawful for a park owner to retaliate against a resident or residents for organizing, petitioning government for rent relief, providing public testimony at a hearing, or exercising any right granted under the Ordinance. Furthermore, any action brought within three months of the determination of a request for a rent increase, petition, or complaint filed by the resident, or public testimony of a resident at a public hearing shall be presumed to be retaliatory; this presumption affects the burden of proof and is rebuttable by the park owner in a court of law.

If a resident believes that he or she is a victim of retaliation, please contact Ashley Cook, the Staff Administrator.