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ACTION SUMMARY

PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE

WEDNESDAY, MARCH 12, 1980

SUBJECT: Report of Mobile Home Grievance Committee:

Committee voted 2:1 to recommend to the Council that a vacancy rate study be done for mobile home parks, and that a mechanism be established to mediate grievances regarding rent increases and other complaints as needed.

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BY THE CITY COUNCIL

APR 15 1980

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# CITY OF SACRAMENTO

## DEPARTMENT OF LAW

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April 7, 1980

Anne Rudin, Councilwoman  
City Council  
Council Chambers  
Sacramento, California 95814

RE: MOBILE HOME GRIEVANCE STUDY

Dear Councilwoman Rudin:

I have more detailed information concerning the action taken by the County Board of Supervisors on the above subject. The County has decided to approve items a, c, and d of the recommendations of the Advisory Committee. They have modified subsection "g" of the recommendations. The Board of Supervisors would establish this program for only an 18 month period. The County Counsel is preparing a resolution of the Board of Supervisors' action and also setting up a procedure for consideration of this subject by the Board.

The County's action will read as follows:


1. Authorize a petition for mediation of grievances presented by more than 50% of the residents of any mobile home park.
2. Provide for the appointment of three voluntary mediators--one selected by GSMOL, one selected by WMA, and the third selected by the other two mediators.
3. Provide for a procedure of mediation whereby, within specified time limits, the residents and park owners subject to the petition on a voluntary basis, seek to resolve their grievances.
4. Require that all mediations, pursuant to such ordinance be reported to County staff, so that experience under the ordinance may be evaluated in terms of effectiveness. If there is no resolution, it is appealable to the Board of Supervisors.

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BY THE CITY COUNCIL

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Very truly yours,

  
JAMES P. JACKSON  
City Attorney

JPJ:KMF

V. RECOMMENDATIONS:

- 1.) That the City Council and Board of Supervisors request from their respective counsel the drafting of ordinances which will have the following effect:
  - a. Authorize a petition for mediation of grievances presented by more than 50% of the residents of any mobile home park.
  - b. Define "unconscionability" with regard to rent in terms of a rent increase not justified by increased costs, and/or increased benefits to tenants, and which exceeds the annual increase in CPI General.
  - c. Provide for the appointment of three voluntary mediators -- one selected by GSMOL, one selected by WMA, and the third selected by the other two mediators.
  - d. Provide for a procedure of mediation whereby, within specified time limits, the residents and park owners subject to the petition on a voluntary basis, seek to resolve their grievances.
  - e. Provide that in the event of failure of mediation the petitioners may pursue a claim in an appropriate court. Specifically where the grievance includes objection to a proposed rent increase, they may seek a declaration as to the invalidity of the proposed rent increase as unconscionable.

- f. Provide that the prevailing party in such litigation is entitled, in addition to the ordinary costs of litigation, to recover reasonable costs of expert witnesses and attorney fees.
- g. Require that all mediations, and any litigation, pursuant to such ordinance be reported to City and County staff, so that experience under the ordinance may be evaluated in terms of effectiveness.

2.) That City and County planning staffs be instructed to implement data collection and staff planning procedures which will keep the Council and Board apprised of evolving trends in the mobile home industry as an alternative to conventional housing.

*Review  
new documents  
for Sept 2000*

3.) That the City Council and Board of Supervisors take appropriate steps to review current planning and zoning regulations consistent with the data collected and analyzed.

*Zoning and new  
ha - standard*

4.) That the City Council and County Board of Supervisors continue to explore alternative means of alleviating the impact of spiraling costs upon those on fixed, low and modest incomes.

5.) That resident and park owner representatives continue through the agency of GSMOL and WMA in their efforts to find a workable interrelationship regarding proper park owner and resident concerns, and to educate their

respective membership or aligned interests to the desirability of cooperative resolution of matters of mutual concern.