

District 1 — Justin Lardinois
District 3 — Barry Del Buono
District 5 — Ruben Navarro
District 7 — Vacant
District 9 — Julie Quinn
Mayor — Nhi Duong

(VC) Alex Shoor — District 2
Huy Tran — District 4
(C) Andrea Wheeler — District 6
Lee Thompson — District 8
Michael Fitzgerald — District 10
Martha O’Connell — CAAC MR
Ryan Jasinsky — CAAC ML

*Commissioners are appointed by corresponding Council Members, but do not represent the Council District.

MEETING AGENDA

5:45PM

JANUARY 17, 2019

CITY HALL WING ROOMS 118-119

I. Call to Order & Orders of the Day

II. Introductions

III. Consent Calendar

- A. Approve the Minutes for the Special Meeting of December 13, 2018
ACTION: Approve the December 13, 2018 action minutes

IV. Reports and Information Only

- A. Chair
B. Director
C. Council Liasion

V. Open Forum

Members of the Public are invited to speak on any item that does not appear on today’s Agenda and that is within the subject matter jurisdiction of the Commission. Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Commission.

VI. Old Business

VII. New Business

A. FY 2017-2018 Annual Action Plan Substantial Amendment (R. Lopez, Housing Department)

ACTION: 1) Hold a public hearing on the proposed Substantial Amendments to the Fiscal Year 2017-2018 Annual Action Plan to fund a new activity not previously described in that Action Plan in order to expend \$124,764 in remaining grant funding on homelessness prevention programs, and 2) Recommend to the City Council that it approve the proposed Substantial Amendment to the Fiscal Year 2017-2018 Annual Action Plan.

B. Rent Stabilization Program Reports for 2018-19 First and Second Quarters for Apartments and Mobilehomes (F. Tran, Housing Department)

ACTION: 1) Review information from two Rent Stabilization Program quarterly reports for apartments and mobilehomes, and 2) Hold a commissioner-initiated discussion on evictions tracking and possibly authorize creation of an Ad Hoc Subcommittee with the purpose being: to compile and discuss additional information on this subject, to potentially draft a letter to the City Council on State legislation changes that could help city staff better track evictions in all mobilehome parks, and to return with information and any letter for consideration by the Commission at a future meeting.

C. Tenant Preferences for Anti-Displacement – Draft Definition of Population (K. Clements, Housing Department)

ACTION: Accept the report and offer feedback to staff on the definition of the population to be covered by City’s forthcoming Anti-displacement Tenant Preference policy.

D. Strategies to Reduce Meeting Length (M. O’Connell and A. Wheeler, Commissioners)

ACTION: Hold a commissioner-initiated discussion on strategies to reduce meeting length, including establishing a meeting adjournment time (curfew) for Commission meetings, and possible recommendation to staff to return with a resolution establishing a curfew for the Commission’s regular meetings, subject to an override to be defined. (No memo)

VIII. Open Forum

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IX. Meeting Schedule

The next regular meeting is scheduled to be held on Thursday, February 14, 2019 in Wing Rooms 118-120 at San José City Hall, 200 E. Santa Clara St, San José, CA 95113.

X. Adjournment

The City of San José is committed to open and honest government and strives to consistently meet the community’s expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

You may speak to the Commission about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the

subject matter jurisdiction of the Commission. Please be advised that, by law, the Commission is unable to discuss or take action on issues presented during Open Forum. Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the Commission unless listed on the agenda, which has been posted not less than 72 hours prior to meeting.

Agendas, Staff Reports and some associated documents for the Commission items may be viewed on the Internet at <http://www.sanjoseca.gov/hcdc>.

Correspondence to the Housing & Community Development Commission is public record and will become part of the City's electronic records, which are accessible through the City's website. Before posting online, the following may be redacted: addresses, email addresses, social security numbers, phone numbers, and signatures. However, please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the Housing & Community Development Commission, will become part of the public record. If you do not want your contact information included in the public record, please do not include that information in your communication.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk, 200 East Santa Clara Street, 14th Floor, San José, California 95113, at the same time that the public records are distributed or made available to the legislative body. Any draft resolutions or other items posted on the Internet site or distributed in advance of the commission meeting may not be the final documents approved by the commission. Contact the Office of the City Clerk for the final document.

On occasion, the Commission may consider agenda items out of order.

The Housing & Community Development Commission meets every Second Thursday of each month (except for July and December) at 5:45pm, with special meetings as necessary. If you have any questions, please direct them to the Commission staff. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events, or printed materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.

Please direct correspondence and questions to:

City of San José
Attn: Viviane Nguyen
200 East Santa Clara Street, 12th Floor
San José, California 95113
Tel: (408) 975-4462
Email: viviane.nguyen@sanjoseca.gov

Para residentes que hablan español: Si desea mas información, favor de llamar a Theresa Ramos al 408-975-4475.

Riêng đối với quý vị nói tiếng Việt : Muốn biết thêm chi-tiết, xin vui lòng tiếp xúc với Viviane Nguyen, Đ.T. 408-975-4462.

對於說華語的居民: 請電 408-975-4450 向 Ann Tu 詢問詳細事宜。說粵語的居民則請撥打 408-975-4425 與 Yen Tiet 聯絡。

Para sa mga residente na ang wika ay tagalog: Kung kinakailangan pa ninyo ng inpormasyon, tawagan si Shirlee Victorio sa 408-975-2649. Salamat Po.

HOUSING & COMMUNITY DEVELOPMENT COMMISSION

SPECIAL MEETING ACTION MINUTES

DECEMBER 13, 2018

MEMBERS PRESENT: Andrea Wheeler Chair
 Alex Shoor Vice Chair (Arrived 5:56 PM)
 Martha O’Connell Commissioner
 Barry Del Buono Commissioner (Arrived 6:17 PM)
 Ruben Navarro Commissioner (Arrived 6:38 PM)
 Huy Tran Commissioner
 Nhi Duong Commissioner (Arrived 5:56 PM)
 Ryan Jasinsky Commissioner
 Justin Lardinois Commissioner
 Michael Fitzgerald Commissioner
 Julie Quinn Commissioner
 Lee Thompson Commissioner (Arrived 6:48 PM)

MEMBERS ABSENT: Ryan Jasinsky Commissioner

STAFF: Helen Chapman Council Liaison
 Kristen Clements Housing Department
 Selena Copeland Housing Department
 Viviane Nguyen Housing Department
 Fred Tran Housing Department

(I) Call to Order & Orders of the Day

A. Item VII.C, Status Update on Google-related Actions, is subject to staff availability.

(II) Introductions – Commissioners and staff introduced themselves.

(III) Consent Calendar

A. Approve the Minutes for the Regular Meeting of November 8, 2018

ACTION: Approve the November 8, 2018 action minutes

Commissioner Fitzgerald moved to approve the motion to approve the November 8, 2018 minutes, with a second by Commissioner O’Connell, with the correction to explain the reason why Commissioner O’Connell abstained per recording. Motion passed 7-0-1.

Yes: Wheeler, Shoor, Tran, Lardinois, Duong, O’Connell, Fitzgerald

No: None

Abstain: Quinn

(IV) Reports and Information Only

A. **Chair:** Chair Andrea Wheeler thanked the Housing Staff for efforts with coordination for HCDC.

DRAFT

- B. Director:** Ms. Kristen Clements provided an update on the December 11, 2018 City Council action items on Commercial Impact Fee, Tenant Protection Ordinance, and Source of Income.
- C. Council Liaison:** Ms. Helen Chapman provided an update on the December 11, 2018 City Council meeting.

(V) Open Forum

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(VI) Old Business

A. Rent Stabilization Program Quarterly Reports for Apartments and Mobilehomes (F. Tran, Housing Department)

ACTION: Review information from the Rent Stabilization Program quarterly reports for apartments and mobilehomes (Informational only).

Commissioner O'Connell made the motion to defer VI-A to the January 2019 meeting, with a second by Commissioner Tran. Motion passed unanimously by roll call vote (8-0).

(VII) New Business

A. Mobilehome Park Conversion Policy 6-33 Regarding Evictions Monitoring (A. Wheeler, Commissioner)

ACTION: Consider writing a letter to City Council to request additional scrutiny of evictions at mobilehome parks subject to potential conversions in land use.

Commissioner O'Connell made the motion for staff to approve the letter as amended, as well as fact check the number of parks and residents, with a second by Commissioner Lardinois. The motion passed unanimously (10-0).

Arrival: Del Buono, Navarro (Currently 10 commissioners)

B. General Plan 2040 Text Amendments and Other Changes regarding Affordable Housing (K. Clements, Housing Department)

ACTION: Provide input on draft letter and approve submission of final letter of Commission support for the four proposed General Plan Text Amendments and other changes as written considered by the Commission at its November 2018 meeting concerning mobilehome parks, housing preservation, and affordable housing to the Planning Commission and City Council, as timing allows.

Commissioner Navarro made the motion to approve the letter, with a second by Commissioner Lardinois. The motion passed 10-0-1.

Yes: Wheeler, Shoor, Tran, Quinn, Lardinois, Navarro, Del Buono, Duong, O'Connell, Fitzgerald

No: None

Abstain: Thompson

Arrival: Thompson (Currently 11 Commissioners)

C. Status Update on Google-related Actions

(K. Clements, Housing Department)

ACTION: Receive update on the City Council's consideration of Google-related actions for the Diridon Station Area regarding housing and community development-related issues (Informational only).

(VIII) Open Forum

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Resident was a member of the Neighborhoods Commission and expressed that he is observing the meeting and sending the Commission's regards.

Commissioner O'Connell made the motion to revisit Commissioner Thompson's proposal to establish a curfew to add to the upcoming agenda, with a second by Commissioner Thompson. The motion passed unanimously (11-0).

Commissioner O'Connell made a motion to draft a letter on the topic of evictions in Mobilehome parks for future approval by the Commission, with a second by Commissioner Tran. The motion passed unanimously (11-0).

Commissioner Thompson expressed concerns regarding using the Roosevelt Community Center.

Commissioner O'Connell expressed concerns regarding ADA Office compliance.

Commissioner Fitzgerald shared a picture of himself on the front page of the newspaper of the San Jose Mercury News regarding the tiny home model on display.

Commissioner Fitzgerald shared a news article on source of income discrimination.

Commissioner Tran requested to add the parcel tax on the March 2019 agenda.

Commissioner Shoor made the motion to agendize an open ended discussion among commissioners about recommendations on community benefits regarding the Google Master Plan with possible recommendation to City Council by drafting a letter after March 2019, with a second by Commissioner Lardinois. The motion passed unanimously.

Commissioner Duong shared about a community meeting in District 7 regarding crimes with San Jose Police Department.

DRAFT

Staff is requesting the meeting in January to be moved a week later to Thursday, January 17th.

Chair Wheeler made the motion to move the meeting from Thursday, January 10th to January 17th, with a second by Commissioner Thompson. The motion passed 10-1.

Yes: Wheeler, Tran, Quinn, Lardinois, Navarro, Del Buono, Duong, O'Connell, Fitzgerald, Thompson

No: Shoor

(IX) Meeting Schedule

The next regular meeting is scheduled to be held on **Thursday, January 17, 2019** at San Jose City Hall, Wing Rooms 118-120 at 200 E. Santa Clara St, San Jose, CA 95113.

(X) Adjournment

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

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(IX) Adjournment

Chair Wheeler adjourned the meeting at 7:44 PM.



Memorandum

TO: HOUSING AND COMMUNITY
DEVELOPMENT COMMISSION

FROM: Jacky Morales-Ferrand

SUBJECT: FY 2017-2018 Annual Action Plan
Substantial Amendment

DATE: January 10, 2019

Approved

Date

RECOMMENDATION

It is recommended that the Housing and Community Development Commission:

1. Hold a public hearing on the proposed Substantial Amendments to the Fiscal Year 2017-2018 Annual Action Plan to fund a new activity not previously described in that Action Plan in order to expend \$124,764 in remaining grant funding on homelessness prevention programs, and
2. Recommend to the City Council that it approve the proposed Substantial Amendment to the Fiscal Year 2017-2018 Annual Action Plan.

OUTCOME

Approval of this Substantial Amendment will enable the City to complete its programming for the use of federal Emergency Solutions Grant funds for homeless services programs for Fiscal Year 2017-18. This approval will also enable staff to increase the current contract for homelessness prevention services provided by Bill Wilson Center.

BACKGROUND

On June 20, 2017, the City Council approved the Fiscal Year (FY) 2017-2018 Annual Action Plan (Action Plan) for expenditure of the City's entitlement funds and competitive grants from the U.S. Department of Housing and Community Development (HUD). Staff submitted the City Council-approved Action Plan to HUD in June 2017, and HUD approved it in July 2017.

The City's Annual Action Plan detail its annual funding strategies for the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), HOME Investment Partnership (HOME), and Housing Opportunities for People with AIDS (HOPWA) programs. Annual Action Plans implement a jurisdiction's Five-Year Consolidated Plan and are developed through significant public input, analysis, and planning. The Action Plan provides spending caps for the different programs or services funded by federal funds.

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All entitlement jurisdictions that receive federal funds are required by HUD to have an adopted Citizen Participation Plan (CPP). San José's CPP (posted at <http://www.sanjoseca.gov/index.aspx?NID=1291>) describes the efforts that the City will take to encourage its residents to participate in developing federal spending plans. It also provides requirements for a public process when a "substantial amendment" to the Annual Action Plan is proposed. The following changes are defined as needing a Substantial Amendment per the CPP, thereby requiring public notice and public hearing by both the Housing and Community Development Commission (HCDC) and the City Council, as described in the CPP:

1. Increases or decreases by the greater of \$100,000 or a 25% change in the amount allocated to a category of funding;
2. A significant change to an activity's proposed beneficiaries or persons served; or,
3. Funding of a new activity not previously described in the Action Plan.

ANALYSIS

Substantial Amendment is Required

The proposed change to the City's FY 2017-2018 Annual Action Plan qualifies as a Substantial Amendment because it meets Criteria 3 – funding of a new activity not previously described in the Action Plan. Therefore, this Substantial Amendment proposal is being brought to HCDC and to the City Council as the CPP requires. Public notices were published in five newspapers – in English and in four foreign languages – 14 days in advance of HCDC's meeting on January 17, 2019, and 30 days in advance of the planned City Council meeting on February 12, 2019.

Causes of the Need to Amend

Managing expenditures of the City's annual federally-funded budget often requires mid-year adjustments to its Annual Action Plan in order to accommodate expenditures that were slower than anticipated. Specifically, the proposed change is primarily a result of the need to fund the proposed ESG activity, as follows.

The 2017-2018 Annual Action Plan awarded \$440,000 of ESG funds to Bill Wilson Center for Rapid Rehousing Services. However, recent changes to the Santa Clara County's Continuum of Care Rapid Rehousing program processes did not give Bill Wilson Center enough time to expend the projected funds within the fiscal year. The other ESG activities funded in FY 2017-18 were street outreach and emergency shelter services; however, because those services were funded and expended up to the 60% shelter and outreach cap determined by HUD, no additional services could be funded except for homelessness prevention.

Homelessness prevention activities are increasingly helping many residents of Santa Clara County avoid becoming homeless, and are listed as a current activity in the City's current FY 2018-19 Annual Action Plan. However, as homelessness prevention was not listed as an ESG spending activity in the FY 2017-2018 Action Plan, a new activity must be created to use the

HOUSING AND COMMUNITY DEVELOPMENT COMMISSION

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ESG funds for this purpose. Therefore, authorizing this use triggers the requirement for a Substantial Amendment process.

Process of Determining Proposed Changes

To determine the reallocation of ESG funding to the new activity of homelessness prevention, staff identified supplementing the existing FY 2018-2019 Action Plan award of \$122,997 in ESG homelessness prevention funding to Bill Wilson Center for homelessness prevention services to be focused on both families and youth. On September 18, 2018, the City Council approved using the leftover \$124,764 in FY 2017-2018 ESG funds to supplement the existing FY18-19 Action Plan award. Staff also anticipates that Bill Wilson Center will be able to spend down the remaining FY 2017-2018 ESG funds by June 30, 2019.

Based on homelessness prevention being an eligible activity for the available funds and the determination that the additional funds could be spent timely, staff proposes this new activity be added. The changes are outlined in **Attachment A** and summarized below.

Proposed Changes

The following changes are included in the Substantial Amendment:

Funding of New ESG Activity

Add homelessness prevention as a new activity to be funded. This change allows flexibility to expend all FY 2017-2018 ESG funding.

Next Steps

After the HCDC public hearing and recommendation, the City Council will hold a public hearing on February 12, 2019, at which time staff will seek approval from the City Council of this recommendation. The City Council has already approved the use of the funds for homelessness prevention, as noted above. After the City Council's approval of this action, staff will then submit the Substantial Amendment and the record of public comments to HUD for approval.

/s/
JACKY MORALES-FERRAND
Director, Housing Department

For questions, please contact Kristen Clements, Division Manager, by email Kristen.Clements@sanjoseca.gov or phone (408) 535-8236.

Attachment: Substantial Amendment to the FY 2017-2018 Annual Action Plan

City of San José

Substantial Amendment to the 2017-2018 Annual Action Plan

Background

The City of San José's federal Annual Action Plan details the funding strategy for the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), HOME Investment Partnership, and Housing Opportunities for People with AIDS (HOPWA) programs each year. These Annual Action Plans implement a jurisdiction's Five-Year Consolidated Plan and are developed through significant public input, analyses, and planning.

The City's Citizen Participation Plan (CPP) describes the efforts that the City will take to encourage its residents to participate in developing these plans. It also provides requirements for public process when a "substantial amendment" to the Annual Action Plan is proposed. The following changes constitute a substantial amendment and require public notice as described in the CPP:

- Increases or decreases by the greater of \$100,000 or a 25% change in the amount allocated to a category of funding
- A significant change to an activity's proposed beneficiaries or persons served
- Funding of a new activity not previously described in the Action Plan

Proposed Substantial Amendment

The City is proposing the following amendment to the 2017-2018 Annual Action Plan in order to reprogram funds from projects/activities that did not expend the projected funds within the fiscal year.

1. Add homeless prevention as a new activity to be funded. This change allows flexibility to expend all FY 2017-2018 ESG funding.

Analysis

This proposal qualifies as a substantial amendment because it meets one of the three criteria:

- Funding of a new ESG activity not previously described in the Action Plan

Changes to the 2017-2018 Annual Action Plan are primarily a result of:

1. The reprogramming of \$122,997 of ESG funds that were not expended.

Homeless Services

The \$122,997 will be added to FY18-19 funding to provide services to 44 families at-risk of homelessness through Bill Wilson Center's homeless prevention program.

Public Process

The City of San José provided a public notice in five newspapers as part of the CPP requirements. Additionally, two public hearings will be held to provide opportunities for public comment:

- January 17, 2019 - Housing & Community Development Commission Meeting, 5:45pm, Wing Rooms 118-120
- February 12, 2019 - City Council consideration of Substantial Amendment adoption, 1:30pm, Council Chambers (Please review Council Meeting [agenda](#) when available to confirm item number)

Comments may also be provided to Kristen Clements by email (Kristen.Clements@sanjoseca.gov) or phone (408-535-8236), or in writing addressed to:

City of San José Housing Department
200 E. Santa Clara Street, 12th Floor
San José, CA 95113

1. On page 61 of the approved 2017-2018 Annual Action Plan, amend the estimated ESG Activities in section AP-38 Project Summary, as follows (**additions** or **deletions**):

13	Project Name	ESG17 City of San José
	Target Area	N/A
	Goals Supported	Homelessness
	Needs Addressed	Homelessness
	Funding	ESG: \$755,329
	Description	<p>The City will utilize ESG funds to support a Homeless Outreach and Engagement program as well as a Supportive Services, Rapid Re-housing Program for homeless individuals and families, and Homeless Prevention program for individuals and families at risk of homelessness.</p> <p>The Homeless Outreach and Engagement Program will focus on utilizing an integrated approach to provide a comprehensive response to addressing chronic homelessness in the City. The City will contract with HomeFirst to provide the Outreach and Engagement services. This program is combined with the CDBG Homeless Outreach, Engagement, and Shelter program.</p> <p>The Supportive Services and Rapid Re-housing Program for Unsheltered Populations will utilize an integrated approach to provide shelter, interim housing, case management services, deposit/rental assistance, and other eligible services as needed. The City will contract with Bill Wilson Center, the lead agency in a consortium of homeless and domestic violence service providers to provide these services.</p> <p>The Homeless Prevention Program for individuals and families at-risk of homelessness will provide financial assistance and diversion strategies to prevent those from falling into homelessness.</p> <p>ESG funds will be used to support the administration of the ESG program by the City’s Housing Department.</p> <p><u>ESG Allocations by Component</u> Outreach = \$260,000 Shelter = \$76,550 Rapid Rehousing = \$363,450 \$240,453 Homeless Prevention: \$122,997 Administration = \$55,729</p>

Target Date	06/30/2018
Estimate the number and type of families that will benefit from the proposed activities	<p>100 unduplicated homeless individuals will be provided shelter services</p> <p>700 outreach contacts will be made with homeless individuals</p> <p>50 homeless individuals/families will receive rapid re-housing services (deposit/rental assistance)</p> <p>20 homeless individuals/families will receive homeless prevention services (rental assistance)</p>
Location Description	Citywide
Planned Activities	<ul style="list-style-type: none"> • Emergency Shelter • Homeless Outreach • Rapid Re-housing • Homeless Prevention • Administration

---- END OF ANNUAL ACTION PLAN AMENDMENT ----



Memorandum

TO: HOUSING AND COMMUNITY
DEVELOPMENT COMMISSION

FROM: Theresa Ramos

SUBJECT: SEE BELOW

DATE: November 1, 2018

Approved

Date

SUBJECT: 2018-2019 First Quarterly Mobilehome Report for the Rent Stabilization Program

PURPOSE

The Rent Stabilization Program is providing a summary of Program activity including reports, and mobilehome call log inquiries for the first Quarterly Report, 2018-2019, July 1, 2018 to September 30, 2018, regarding mobilehome issues and trends impacting San José mobilehome park communities.

In addition, this report covers activities highlighting current issues. The Rent Stabilization Program provides education and information to protect the rights and improve relations between, residents and park owners/managers. The Housing and Community Development Commission (HCDC) has requested periodic data from the Program.

PROGRAM HIGHLIGHTS

Major actions taken during the first quarter of 2018-2019 include:

Mobilehome Inquiries

During this first quarter, the Rent Stabilization Program received 73 mobilehome park inquiries (**Attachment A**).

Types of inquiries during this fourth quarter include:

- State Code Issues (health and safety concerns)
- Resident’s Rights
- Eviction Notices
- Referral Advice

Below is a summary of mobilehome park issues during this quarter.

Park Specific

Mayfair Trailer Park (54 Spaces)

A mobilehome resident contacted Program staff regarding alleged unsafe electrical conditions. Program and City staff conducted a site visit to verify electric box safety, but were unable to make any determinations. Program staff referred the resident to the State's Housing and Community Development Department, Law Foundation of Silicon Valley, and Habitat for Humanity for their Home Repair Program. Program staff has continued to offer referrals for temporary housing and one-time payment of rent assistance through programs, such as the Emergency Assistance Network of Santa Clara County, to help the resident comply with a non-payment of rent termination of tenancy notice.

Other residents complained about separation of utility changes without receiving a decrease in their rent. Program staff conducted a site visit, but was unable to contact the manager. Consequently, Program staff followed up with property owner. Property owner has agreed to work with Program staff on the issue.

Triangle Trailer Park (24 Spaces)

Triangle Trailer Park Resident contacted Program staff to report health and safety concerns including bed bug infestations and lack of Park maintenance. Program staff conducted a site visit and noted lack of Park maintenance, management, and overall Park safety. Program staff referred the resident to the State's Mobilehome Ombudsman's Office to file a complaint. Program staff also contacted the Park owner and offered resources to address their concerns relating to gang activity, drugs, and resident's non-payment of rent. Program staff then followed up with the Housing and Community Development Office to inform the State of Park conditions.

Lamplighter Mobilehome Park (265 Spaces)

A mobilehome resident contacted Program staff regarding ongoing intermittent utility shut off. Program staff referred the resident to the California Public Utilities Commission and the Mobilehome Ombudsman's Office to file complaints. Program staff also scheduled a site visit and viewed an open ditch where a pipe is leaking water. Program staff spoke with Park manger and with Home Owner's Association President to discuss issue. Program staff also shared the health and safety concerns with the State's Housing and Community Development Department.

Bella Rosa Mobile Lodge (64 Spaces)

Mobilehome residents contacted Program staff regarding an alleged rent increase of 8% which exceeds the 3% increase currently allowed. Program staff reviewed and determined that space lots were permanently exempt because the space lots were permitted after September 7, 1979. The park owner provided the necessary documentation as required by the Mobilehome Rent Control Ordinance to permanently exempt space lots. Residents claimed they were unaware that their space lots were exempt. Program staff referred residents to legal services for assistance.

Ace Trailer (57 Spaces)

A mobilehome resident contacted Program staff regarding an increase of rent and return of deposit. Program staff scheduled a site visit and spoke with the new park manager about the resident's issues. Resident moved out of one space unit and applied to another space within the park which allows for a rent increase in the new rental space. Program staff contacted the resident and explained the reason for a rent increase and shared with them that their security deposit for their previous space was inadvertently sent to the incorrect address. The park manager reissued a new check to the resident. However, after a few weeks, the resident claimed that they did not receive the reissued check. Program staff recommended that the check be made available for pick-up at the main office to prevent further delay.

Winchester Ranch Mobilehome Park (111 Spaces)

Winchester Ranch resident contacted Program staff in response to multiple health and safety code violations the Resident received from a State park inspection. To comply with the notice, the Resident was asked to fix or remove multiple structures on his lot. Program staff referred the resident to Habitat for Humanity's Home Repair Program to assist the resident with the repair costs. The Park owner of Winchester Ranch also contacted Program staff to request information about the State's inspection process for vacant mobilehomes. Program staff referred the park owner to the State's Office of Mobilehome Ombudsman. Program staff also received an inquiry from an attorney from the Law Foundation of Silicon Valley, representing the Winchester Ranch Home Owner's Association, requesting Program information about relocation specialists and appraisers for mobilehomes contracted by the City of San José. Program staff provided the requestor with the names and contact information of all mobilehome relocation consultant and appraisal services.

/s/

Theresa Ramos

Senior Analyst

Rent Stabilization Program

ATTACHMENT:

Attachment A: Mobilehome Call Log



Memorandum

TO: HOUSING & COMMUNITY DEVELOPMENT COMMISSION (HCDC)

FROM: Theresa Ramos

SUBJECT: CALL LOG REPORT

DATE: 10/22/2018

Total Calls=73

	Date	Requestor	Mobilehome Park	Topic	Resolution Suggested
July	7/2/2018	RESIDENT	PepperTree MH Estates	Office Information	Information
July	7/3/2018	RESIDENT	Ace Trailer Inn Village	Referral Advice	Referral
July	7/6/2018	RESIDENT	Oakcrest Estates	Maintenance	Information
July	7/9/2018	RESIDENT	WestWinds Manufactured Home Community	Rights	Information
July	7/9/2018	RESIDENT	Mountain Shadows	Eviction	Referral
July	7/11/2018	RESIDENT	Cal-Hawaiian Mobile Est	Maintenance	Information
July	7/12/2018	RESIDENT	Oakcrest Estates	Lease Dispute	Referral
July	7/13/2018	RESIDENT	San Jose Verde MH Park	Eviction	Referral
July	7/16/2018	RESIDENT	Village of the Four Seasons	Maintenance	Referral
July	7/16/2018	RESIDENT	Riverbend Mobilehome Park	Referral Advice	Information
July	7/16/2018	RESIDENT	Unavailable	Referral Advice	Information
July	7/17/2018	RESIDENT	Unavailable	Referral Advice	Referral
July	7/17/2018	OTHER	Hometown Monterey Oaks	Service	Referral
July	7/19/2018	RESIDENT	Unavailable	Rights;Office Information	Referral
July	7/20/2018	RESIDENT	San Jose Verde MH Park	Maintenance	Information
July	7/23/2018	RESIDENT	San Jose Verde MH Park	Maintenance	Information
July	7/23/2018	RESIDENT	Oakcrest Estates	Lease Dispute	Referral
July	7/24/2018	RESIDENT	Winchester Ranch	Referral Advice	Information
July	7/25/2018	RESIDENT	Bella Rosa Mobile Lodge	Ordinance	Ordinance
July	7/25/2018	RESIDENT	Bella Rosa Mobile Lodge	Ordinance	Ordinance

July	7/26/2018	RESIDENT	Mobile Home Manor	Referral Advice	Information
July	7/27/2018	RESIDENT	Trailer Terrace	Referral Advice	Information
July	7/27/2018	RESIDENT	Riverbend Mobilehome Park	Maintenance	Referral
Aug	8/1/2018	RESIDENT	Bella Rosa Mobile Lodge	Ordinance	Information
Aug	8/2/2018	RESIDENT	Oakcrest Estates	Service	Information
Aug	8/2/2018	LANDLORD	Winchester Ranch	Code Issue	Information
Aug	8/2/2018	RESIDENT	Sunset Mobile Manor	Rights	Information
Aug	8/2/2018	RESIDENT	Mobile Home Manor	Referral Advice	Referral
Aug	8/6/2018	RESIDENT	Unavailable	Eviction	Information
Aug	8/6/2018	OTHER	Casa Alondra	Ordinance	Information
Aug	8/9/2018	RESIDENT	Unavailable	Referral Advice	Information
Aug	8/9/2018	RESIDENT	Lamplighter San Jose	Office Information	Information
Aug	8/13/2018	RESIDENT	Mayfair Trailer Park	Code Issue	Referral
Aug	8/13/2018	RESIDENT	Bella Rosa Mobile Lodge	Allowable Rent Increase	Information
Aug	8/13/2018	RESIDENT	Bella Rosa Mobile Lodge	Referral Advice	Referral
Aug	8/13/2018	RESIDENT	Unavailable	Office Information	Information
Aug	8/14/2018	RESIDENT	Mayfair Trailer Park	Referral Advice	Referral
Aug	8/14/2018	RESIDENT	Casa Alondra	Maintenance	Referral
Aug	8/14/2018	RESIDENT	Lamplighter San Jose	Referral Advice	Referral
Aug	8/17/2018	RESIDENT	Casa Alondra	Referral Advice	Referral
Aug	8/20/2018	RESIDENT	Triangle Trailer Park	Code Issue;Maintenance	Referral
Aug	8/20/2018	RESIDENT	Mountain Springs	Maintenance	Information
Aug	8/20/2018	RESIDENT	Quail Hollow MH Park	Service	Referral
Aug	8/21/2018	RESIDENT	Magic Sands	Office Information	Referral
Aug	8/22/2018	RESIDENT	Triangle Trailer Park	Office Information	Information
Aug	8/22/2018	RESIDENT	Hilton Mobile Park	Maintenance;Referral Advice	Referral
Aug	8/23/2018	ATTORNEY	Winchester Ranch	Office Information	Information
Aug	8/23/2018	RESIDENT	Triangle Trailer Park	Code Issue;Maintenance;Rights	Information
Aug	8/23/2018	RESIDENT	Oakcrest Estates	Office Information	Information

Aug	8/23/2018	RESIDENT	Oakcrest Estates	Office Information	Information
Aug	8/24/2018	LANDLORD	Triangle Trailer Park	Referral Advice	Referral
Aug	8/24/2018	RESIDENT	Triangle Trailer Park	Referral Advice;Rights	Referral
Aug	8/27/2018	LANDLORD	Triangle Trailer Park	Referral Advice	Referral
Aug	8/28/2018	RESIDENT	Bella Rosa Mobile Lodge	Allowable Rent Increase	Ordinance
Aug	8/28/2018	RESIDENT	Bella Rosa Mobile Lodge	Allowable Rent Increase	Referral
Aug	8/28/2018	RESIDENT	Bella Rosa Mobile Lodge	Rights;Fees	Referral
Aug	8/28/2018	RESIDENT	Bella Rosa Mobile Lodge	Allowable Rent Increase;Referral Advice	Referral
Aug	8/30/2018	RESIDENT	Ace Trailer Inn Village	Allowable Rent Increase	Information
Aug	8/31/2018	RESIDENT	Mayfair Trailer Park	Eviction	Referral
Aug	8/31/2018	RESIDENT	Casa Alondra	Referral Advice;Office Information	Information
Sept	9/4/2018	RESIDENT	WestWinds Manufactured Home Community	Referral Advice	Referral
Sept	9/5/2018	RESIDENT	Triangle Trailer Park	Code Issue;Fees	Ordinance
Sept	9/6/2018	RESIDENT	Casa Alondra	Referral Advice	Information
Sept	9/7/2018	RESIDENT	Ace Trailer Inn Village	Allowable Rent Increase	Information
Sept	9/10/2018	RESIDENT	Lamplighter San Jose	Code Issue	Information
Sept	9/10/2018	RESIDENT	Bella Rosa Mobile Lodge	Office Information	Information
Sept	9/10/2018	RESIDENT	Bella Rosa Mobile Lodge	Rights	Information
Sept	9/13/2018	RESIDENT	Coyote Creek MH Community	Maintenance	Information
Sept	9/14/2018	RESIDENT	Colonial Mobile Manor	Referral Advice	Referral
Sept	9/18/2018	RESIDENT	Triangle Trailer Park	Code Issue	Information
Sept	9/18/2018	RESIDENT	Mayfair Trailer Park	Rights	Referral
Sept	9/21/2018	RESIDENT	Triangle Trailer Park	Code Issue	Information
Sept	9/24/2018	LANDLORD	Hometown Eastridge Mobile	Ordinance	Ordinance

Brief Synopsis on Disposition of Calls

7/2/2018 - PepperTree MH Estates

Resident's Issue: Resident needs help getting a hold of their Landlord/Manager to get approval for construction. Program staff called Manager on behalf of the Resident to learn more about the application process. Program staff then followed up with the Resident.

7/3/2018 - Ace Trailer Inn Village

Resident's Issue: Resident reached out to their Council district representative and the Housing Department with concerns regarding park safety and legal concerns. Program staff called the Resident and left a voicemail. Program staff also followed up with an email.

7/6/2018 - Oakcrest Estates

Resident's issue: Resident informed Program staff of an electric outage from 9am to 3pm on June 5, 2018. Program staff noted outage.

7/9/2018 - WestWinds Manufactured Home Community

Resident's Issue: Resident called the Rent Stabilization Program regarding a title issue and resident rights. Program staff called back and left a voicemail.

7/9/2018 - Mountain Shadows

Other: Individual is calling on behalf of his brother who alleges that they have been given an improper eviction notice. Program staff referred the caller to legal agencies.

7/11/2018 - Cal-Hawaiian Mobile Est

Resident's issue: Resident requested legal advice regarding tree trimming on neighboring City commercial property. Program staff referred the resident to the City's Code Enforcement for assistance.

7/12/2018 - Oakcrest Estates

Resident's issue: Resident requested legal advice regarding new park rule about parking. Program staff referred the resident to an advocacy group and legal services for assistance.

7/13/2018 - San Jose Verde MH Park

Resident's Issue: Resident called regarding an eviction notice. Program staff recommended that the Resident contact a legal agency immediately.

7/16/2018 - Village of the Four Seasons

Resident's issue: Resident requested information regarding obtaining permits to perform work at the park. Program staff referred the resident to the State Ombudsman for assistance.

7/16/2018 - Riverbend Mobilehome Park

Resident's Issue: Resident received a 7-day notice to comply with park rules and regulations. Resident needs assistance to repair their mobilehome. Program referred Resident to a legal agency.

7/16/2018 - Unavailable

Resident's Issue: Resident called Program staff to inquire about the mobilehome work permit process. Program staff left the Resident a voicemail with the State's Housing and Community Development information.

7/17/2018 - Unavailable

Resident's Issue: Resident contacted the Housing Department with concerns about pool safety. Program staff referred the Resident to the County Environmental Health Department.

7/17/2018 - Hometown Monterey Oaks

Other: Caller is inquiring about renewal of registration of new mobilehome. Program staff referred the caller to the State Mobilehome Title Registry for assistance.

7/19/2018 - Unavailable

Resident's Issue: Resident called requesting referrals to mobilehome agencies and legal services regarding issues relating to trees, lot lines, and Resident rights. Program Staff emailed the Resident with the requested resources.

7/20/2018 - San Jose Verde MH Park

Resident's issue: Resident complained about the laundry room missing the new washing machine installed a few months ago. Program noted complaint and scheduled a site visit to verify complaint. Referred the resident to file complaint with park manager.

7/23/2018 - San Jose Verde MH Park

Other: Program staff conducted a site visit to verify resident complaint regarding a missing washing machine. The washing machine was not found on site and has not been replaced.

7/23/2018 - Oakcrest Estates

Resident's issue: Resident requested legal advice regarding change of park rules to limit two cars per space lot. Program staff referred the resident to an resident advocacy group and legal services for assistance.

7/24/2018 - Winchester Ranch

Resident's Issue: The Resident called regarding a State inspection violation notice asking him to fix multiple fixtures on his lot. Program Staff referred the Resident to two agencies that may be able to provide funding or services to help repair the structures.

7/25/2018 - Bella Rosa Mobile Lodge

Resident's Issue: Program Staff sent email asking for copy of rent increase.

7/25/2018 - Bella Rosa Mobile Lodge

Resident's Issue: Resident called Program staff requesting that staff investigate a rent increase above the allowable 3%. Program staff requested copies of the rent increase and followed up with the Resident.

7/26/2018 - Mobile Home Manor

Resident's Issue: Resident came for a walk-in to request legal services regarding a new lease agreement. Program Staff referred the Resident to legal agencies and to the Mobilehome Ombudsman's Office.

7/27/2018 - Trailer Terrace

Resident's Issue: Resident requested information about State inspections and the State's contact information. Program staff referred the Resident to the Mobilehome Ombudsman's Office.

7/27/2018 - Riverbend Mobilehome Park

Resident's issue: Resident requested financial assistance for mobilehome repairs. Program staff referred the resident to community services for assistance.

8/1/2018 - Bella Rosa Mobile Lodge

Resident's Issue: Program staff verified that the Resident's 8% increase is allowable because their space is exempt from the Rent Control Ordinance. Program staff referred the Resident to legal services and provided contact to council members and mayor of San Jose.

8/2/2018 - Oakcrest Estates

Other: Program staff returned phone call and left a message.

8/2/2018 - Winchester Ranch

Landlord's issue: Landlord requested information regarding park inspections to vacant mobilehomes. Program staff referred the landlord to the State Ombudsman's Office for assistance.

8/2/2018 - Sunset Mobile Manor

Resident's issue: Resident called to file a complaint about on-going park management harassment during an on-going legal dispute. Program staff noted complaint.

8/2/2018 - Mobile Home Manor

Resident's Issue: Resident contacted Program Staff to request the State's Housing and Community Development application for registration and titling. Program staff sent the Resident an email with the application.

8/6/2018 - Unavailable

Resident's issue; Resident requested information regarding an eviction in Gilroy. Program staff referred the resident to the legal services for assistance.

8/6/2018 - Casa Alondra

Other: Caller inquired about the mobilehome space rent as rent control. Program staff confirmed that the space rent is exempt from rent control.

8/9/2018 - Unavailable

Resident's Issue: Resident left Program staff a voicemail requesting information about adding their mobilehome to their trust. Program staff returned their call and left a voicemail.

8/9/2018 - Lamplighter San Jose

Resident's Issue: Resident called Program staff and left a voicemail regarding community concerns. Program staff called the Resident back and also left a voicemail.

8/13/2018 - Mayfair Trailer Park

Resident's Issue: Resident has electrical safety concerns and is requesting a referral. Program staff called the Resident and left a voicemail.

8/13/2018 - Bella Rosa Mobile Lodge

Resident Issue: Resident is concerned about the 8% increase that she received because her space is not under rent control. Resident is concerned that about future rent increases and the lack of notices. She wants to reach out to councilmembers to get protection for the future. She also wants to work with lawyers to take her case to court.

8/13/2018 - Bella Rosa Mobile Lodge

Resident's Issue: Resident wrote council members and housing department a letter requesting help with payment of rent. Program staff called Resident back and offered a referral to the Emergency Response Network.

8/13/2018 - Unavailable

Resident's Issue: Resident called Program staff to request a list of mobilehome parks in San José. Resident is interested in joining a community. Program staff emailed the Resident a list with relevant park information.

8/14/2018 - Mayfair Trailer Park

Resident's Issue: Program staff conducted a site visit with inspectors from the Housing Department to see if the Resident could potentially qualify for services with Habitat for Humanity. Resident was not present. Program staff left their business cards. Resident called Program staff later that day requesting legal advice. Program staff offered Law Foundation's information and a list of private attorneys in the area that may be able to assist the Resident at no cost.

8/14/2018 - Casa Alondra

Resident's issue: Resident requested financial assistance for mobilehome repairs. Program staff referred the resident to community services for assistance.

8/14/2018 - Lamplighter San Jose

Resident's Issue: Resident called requesting referral advice regarding alleged utility shutoff. Resident claims that every month water and electricity is shut off. Program Staff requested that the Resident provide an email where a list of resources can be provided. Resident provided an email and Program staff shared referrals to the California Public Utilities Commission.

8/17/2018 - Casa Alondra

Resident's Issue: Resident came for a walk-in requesting assistance on filing an application with Habitat for Humanity. Program Staff worked with the Resident and scheduled a site visit to inspect MH park for repair priorities.

8/20/2018 - Triangle Trailer Park

Resident's issue: Resident complained about bedbug infestation in the mobilehome and notified the park owner. Program staff referred the resident to the State Ombudsman's office for assistance.

8/20/2018 - Mountain Springs

Resident's issue: Resident complained about neighbor's tree debris left on her property line. Program staff referred the resident to the park manager and regional office for assistance.

8/20/2018 - Quail Hollow MH Park

Resident's issue: Resident requested services for mobilehome repairs. Program staff offered the contact information of two non-profits that conduct home repairs.

8/21/2018 - Magic Sands

Resident's Issue: Resident requested assistance with paying a State registration fee. Resident claims that they did not receive an initial notice with the fee, but they are now receiving a late payment fee. Program staff called the State's Registration and Titling Center to request help.

8/22/2018 - Triangle Trailer Park

Other: Program staff called and left a message for manager for a call back.

8/22/2018 - Hilton Mobile Park

Resident's Issue: Resident requested advice on State code violations of her mobilehome. Program staff offered the Resident the contact information to the State inspector, a building permit, and State requirements for building a ramp.

8/23/2018 - Winchester Ranch

Other: Attorney emailed Program staff requesting information about relocation specialist and appraisers for mobilehomes contracted by the City. Program staff provided the appropriate information.

8/23/2018 - Triangle Trailer Park

Resident's Issue: Program staff conducted a site visit per a Resident's request. Staff met with the individual who previously served as a Park manager. The Resident disclosed health and safety concerns, lack of Park management, and reduction of services. Program staff offered referrals to the State's Ombudsman's office and to local legal agencies.

8/23/2018 - Oakcrest Estates

Resident's Issue: Resident called Program staff requesting contact information for the Boards and Commission Staff. Staff offered the Resident their number.

8/23/2018 - Oakcrest Estates

Resident's Issue: Resident called Program staff requesting information regarding an appointment they made with the State's Housing and Community Development department. Program staff referred the Resident to the State for more information.

8/24/2018 - Triangle Trailer Park

Other: Program staff called Park Manager to inform them of multiple Resident complaints regarding Park health and safety including bed bug infestation and park maintenance. Program staff also followed up with an email offering Park management resources.

8/24/2018 - Triangle Trailer Park

Resident's Issue: Resident called Program staff to request information about next steps after filing a report with the State's Mobilehome Ombudsman's Office. Program staff suggested that the Resident follow up with their case at Ombudsman's office.

8/27/2018 - Triangle Trailer Park

Other: Program staff returned Park owner's call regarding Resident complaints. Program staff informed Park owner about ongoing Resident health and safety concerns. Park owner requested legal and crime prevention services, in addition to services regarding garbage pick-up, and homelessness concerns. Program staff offered referrals to the appropriate City departments, Santa Clara Bar Association and to the gang and crime prevention hotlines.

8/28/2018 - Bella Rosa Mobile Lodge

Resident issue: Resident received a 8% rent increase notice. Program staff verified that space lot is exempt from rent control. Rent increase is allowed.

8/28/2018 - Bella Rosa Mobile Lodge

Resident issue: Resident received a 8% rent increase notice. Program staff verified that space lot is exempt from rent control. Rent increase is allowed.

8/28/2018 - Bella Rosa Mobile Lodge

Resident's issue: Resident requested information about master meter/submetered utilities charges. Program staff referred resident to the Public Utilities Commission and Weights and Measures for assistance.

8/28/2018 - Bella Rosa Mobile Lodge

Resident issue: Resident received a 8% rent increase notice. Program staff verified that space lot is exempt from rent control. Rent increase is allowed.

8/30/2018 - Ace Trailer Inn Village

Resident's Issue: Resident came for a walk-in regarding a rent increase above the allowable 3%. Resident also had concerns regarding their security deposit. Program staff plans to visit the park to share the City Ordinance and Regulations with new Park Management.

8/31/2018 - Mayfair Trailer Park

Resident's Issue: Resident followed up with Program staff regarding ongoing claims of park electrical and safety. Resident recently received a three-day eviction notice, Program staff referred the Resident to Law Foundation.

8/31/2018 - Casa Alondra

Resident's Issue: Resident came for a walk-in requesting assistance with their Habitat for Humanity Home Repair application. Program staff made copies of their documents and explained the application process.

9/4/2018 - WestWinds Manufactured Home Community

Resident's Issue: Resident called Program staff requesting a referral to the Mobilehome Ombudsman's Office and the Housing and Community Development Office regarding allowable construction. Program staff offered both telephone numbers and websites.

9/5/2018 - Triangle Trailer Park

Other: Program staff contacted park owner regarding two mobilehomes blocking fire lanes. Program staff informed the park owner that a complaint was filed with the State Ombudsman's Office.

9/6/2018 - Casa Alondra

Resident's Issue: Resident requested that Program staff come out to their mobilehome to note new damages inside the home and to assist with requesting a copy of their rental agreement. Program staff notes the damages and asked that they contact their Park management to request a copy.

9/7/2018 - Ace Trailer Inn Village

Other: Program staff conducted a site visit and spoke with the Park manager. Park manager shared copies of the rent roll specific to the Resident's space number. Program staff and Park manager determined that rent had not been increased above the allowable 3%, but rather, the Residents signed a new contract to move into a new space at market rate. Program staff also requested information about the Resident's missing security deposit refund and Park manager verified that it had been sent to the wrong address and reissued the check. Program staff followed up with the Residents.

9/10/2018 - Lamplighter San Jose

Resident's issue: Resident called to complain about water shut off. Program staff scheduled an appointment to visit

resident. Program staff also referred the resident to the state Ombudsman's office for assistance.

9/10/2018 - Bella Rosa Mobile Lodge

Resident's Issue: Resident contacted Program staff requesting the date their space was permitted into the park. Program staff referred to permits the Park Owner submitted and verified that the space was exempt from the Mobilehome Rent Control Ordinance and followed up with the resident.

9/10/2018 - Bella Rosa Mobile Lodge

Resident's Issue: Resident contacted Program staff requesting the date their space was permitted into the park. Program staff referred to permits the Park Owner submitted and verified that the space was exempt from the Mobilehome Rent Control Ordinance and followed up with the resident.

9/13/2018 - Coyote Creek MH Community

Resident's issue: Resident complained about the park manager not maintaining tree trimming. Program staff referred the resident to the State Ombudsman's office for assistance.

9/14/2018 - Colonial Mobile Manor

Resident's Issue: Resident called requesting a referral to the California Department of Housing and Community Development regarding a registration and titling concern.

9/18/2018 - Triangle Trailer Park

Other: Program staff contacted the state Ombudsman's Office as a follow up to resident's complaint regarding two mobilehomes parked in fire lanes.

9/18/2018 - Mayfair Trailer Park

Resident's issue: Resident came requesting legal advice regarding a seven day notice to comply with park rules. Program staff referred the resident to legal services for assistance.

9/21/2018 - Triangle Trailer Park

Other: Program staff followed up with Park resident and was informed that the State inspector conducted a Park inspection regarding alleged health and safety violations.

9/24/2018 - Hometown Eastridge Mobile Estates

Other: Property manager called Program to request information about the Mobilehome Fee Exemption Request. Program notified property manager about the mail-out date.

Theresa Ramos
Rental Rights & Referrals Program
Analyst II, Policy and Special Projects



Memorandum

TO: HOUSING AND COMMUNITY
DEVELOPMENT COMMISSION

FROM: Fred Tran

SUBJECT: SEE BELOW

DATE: November 1, 2018

Approved

Date

SUBJECT: 2018-2019 FIRST QUARTER ACTIVITIES IN THE HOUSING DEPARTMENT'S RENT STABILIZATION PROGRAM

PURPOSE

The Rent Stabilization Program is providing a summary of Program activities including reports, rental market status, apartment call log inquiries, petitions filed, and average San José rents, for the first quarter 2018–2019 to the Housing and Community Development Commission (HCDC). The Rent Stabilization Program provides education and information to protect the rights of, and improve relations between tenants and property owners.

PROGRAM HIGHLIGHTS

Major actions taken during the first quarter 2018-2019 are summarized below.

Program Fee

The City Council approved a fee structure for 2018-2019 for the Rent Stabilization Program as stated below:

- 1) Annual Apartment Rent Control Fee: increase from \$55.80 to \$77.30 per unit;
- 2) Annual Apartment Non-Rent Control Fee: increase from \$4.10 to \$6.20 per unit;
- 3) Annual Mobilehome Rent Control Fee: decrease from \$34.10 to \$25.70 per unit; and
- 4) Fees in connection with withdrawal of a building under the Ellis Act ordinance: increase from \$2,235 to \$2,258 per unit for up to ten units and increase from \$860 to \$872 per unit for over ten units.

Ellis Act Ordinance

City Council approved the Ellis Act Ordinance and went into effect on May 25, 2017. The Ordinance required apartment buildings with four or more units built prior to 1979 withdrawing units from the rental market must comply with the following:

- ***Noticing Requirements:*** 120 days' notice to all tenants, and may be extended to one year if tenants are over the age of 62, disabled, terminally/catastrophically ill, or have school-aged children

- **Relocation Assistance:** Required for all tenants, additional assistance is required for low-income families, over the age of 62, disabled, terminally/catastrophically ill, or have school-aged children
- **Subject to the ARO:** All new units built are subject to the City's Apartment Rent Ordinance

On April 24, 2018, the City Council approved an amendment to the Ellis Act Ordinance amending Part 11 of Chapter 17.23 of the San José Municipal Code to:

- **Modify the re-control provisions:** Permit re-control under the Apartment Rent Control Ordinance (ARO) of the greater of either the number of apartments removed from the market, or 50% of newly-built apartments,
- **Modify the inclusion from four units to three units:** Include apartment buildings with three units under the Ellis Act,
- **Allow non-ARO apartments with three units or more built after 1979:** Provide a 120-day notification to their tenants and the City and to provide relocation consultant services to impacted tenants.

Currently, there are two buildings with Ellis Act Ordinance withdrawal requests, one of which is under rent control and subject to the re-control and right to return provisions, and second which is exempt from the Apartment Rent Ordinance. The first withdrawal is for a building located at Eight (8) East Reed Street, a rent stabilized four-plex, and three tenants were impacted. The second withdrawal is for a building located at 307 Stockton Ave, a 5-unit non-rent stabilized complex, three tenants households have been noticed, and two units are vacant. All tenants will have access the relocation specialist to develop a relocation plan.

Rent Registry

The City Council approved the creation of a rent registry to collect rent information and help monitor rental activity. On August 17, 2018, the online Rent Registry system was launched. As of October 26, 2018, 787 account users and 5,700 units have registered in the system.

The online rent registry offers owners two options to either input each unit individually by direct entry or input multiple units by using an Excel template. Smaller property owners and those less familiar with computers favor registering their units by direct entry because it provides step by step instructions throughout the registration process. Larger property owners prefer the use of the Excel rent template due to the ability to copy and paste rental information into the spreadsheet from their own data tracking system saving time.

Mailers with unique login credentials were sent to property owners with information on how to register their units, workshop dates, and the registration deadline. The phasing of the mailers allowed for timely system updates and prompt staff response times to owner inquiries. The mailers included a list of seven scheduled workshops where owners and property managers can receive one-on-one technical assistance from housing staff to register their properties. These mailers were mailed out in three different phases:

- Phase One: Mailed on August 17, 2018, targeted small property owners;
- Phase Two: Mailed on August 31, 2018 to a mix of small and large property owners; and
- Phase Three: Mailed on September 14, 2018 included large property owners.

To date, staff have facilitated four workshops with an average of 15 attendees at each workshop. The majority of attendees reported a need for technical assistance due to unfamiliarity with computers. In addition to the workshops, a user guide was developed and available on the website in English, Spanish, and Vietnamese. With the data collected from the registry, the Housing Department will be able to report out more accurate housing statistics, such as the average rent by bedroom size and average rent by City Council district.

Starting November 1, 2018, staff will conduct additional outreach to owners who have not yet completed the registration of their units. This additional outreach will include sending out mailers, email, and phone calls to those owners who have not yet registered their units.

Staff is continually evaluating the implementation process of the rent registry. The phasing of the rent registry naturally provided more time for property owners in the first two phases more time than those in the third phase. The majority of property owners with large properties were included in the third phase. In order to create the time necessary for owners of larger properties to register their apartments on time, staff is considering amending the deadline for registration by approximately 60 days.

Duplexes

The Housing Department staff is in the process of completing a full list of all current duplexes in the City of San José regards to which are owner occupied. The Rent Stabilization Program sent a mailer in August 2018 to owners of San José duplexes to inform them of the proposed changes to the Tenant Protection Ordinance and the Ellis Act Ordinance, and to inform them of community meetings in August regarding these proposed changes. The Program sent a survey to the duplex owners requesting basic information about the units, and is analyzing the data to create an accurate inventory of duplexes and associated ownership information.

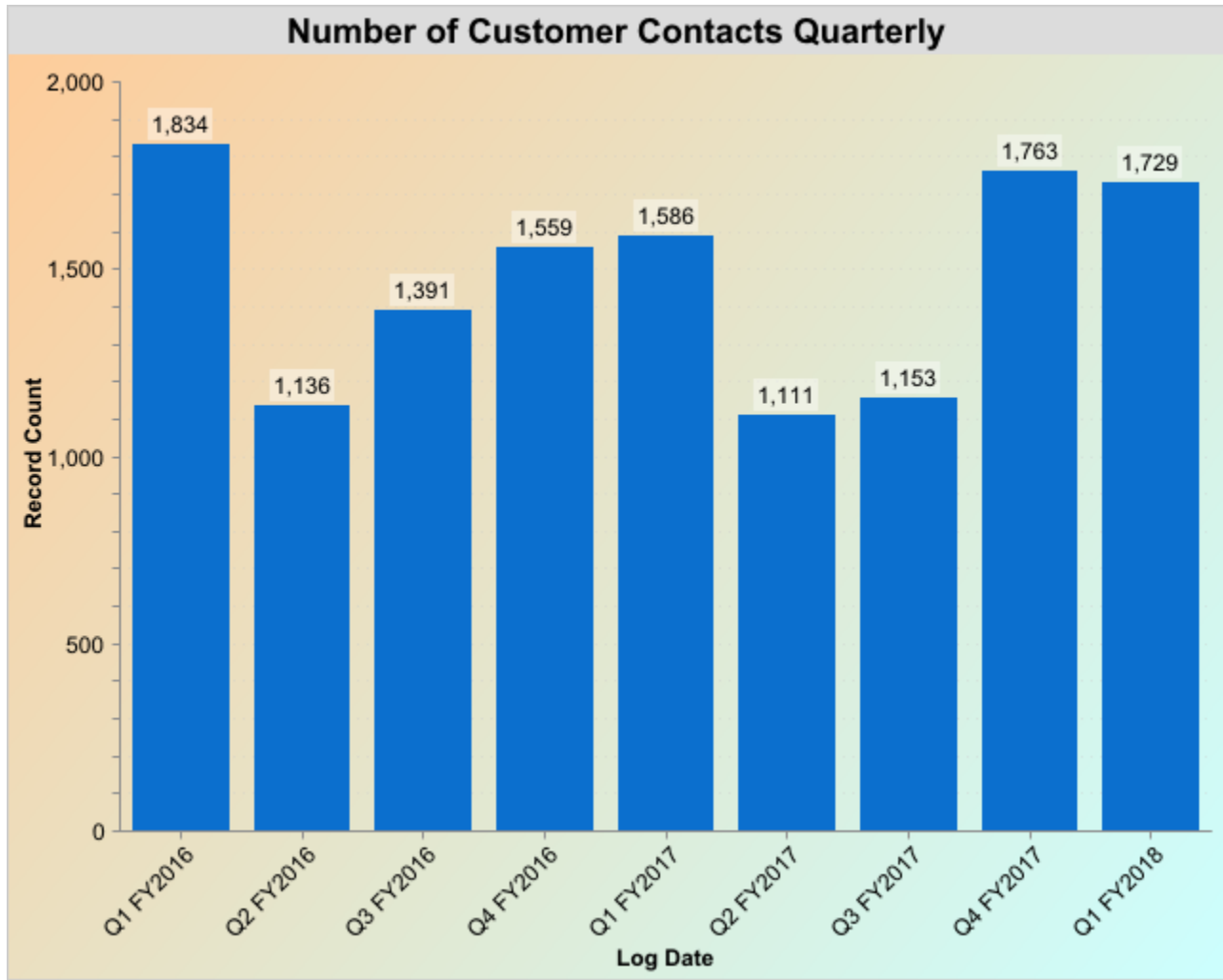
PUBLIC OUTREACH

Staff met with a wide range of stakeholders while developing amendments to the Tenant Protection Ordinance, and the Ellis Act Ordinance. With the assistance from the California Apartment Association, Burbank/Sherman Oaks Neighborhood Association, and the Renters Coalition, the Housing Department met with property landlords and managers of small properties, large properties, and a variety of tenants and tenant advocates on multiple occasions. A summary of all public meetings is listed in **Attachment A**.

Apartment Call Log Report Inquiries

From July 1, 2018 through September 30, 2018, the Rent Stabilization Program received 1,729 inquiries and 1,763 from April 1, 2018 through June 30, 2018. During the first quarter primarily calls received regarding rent registry, and landlords RUBS petitions.

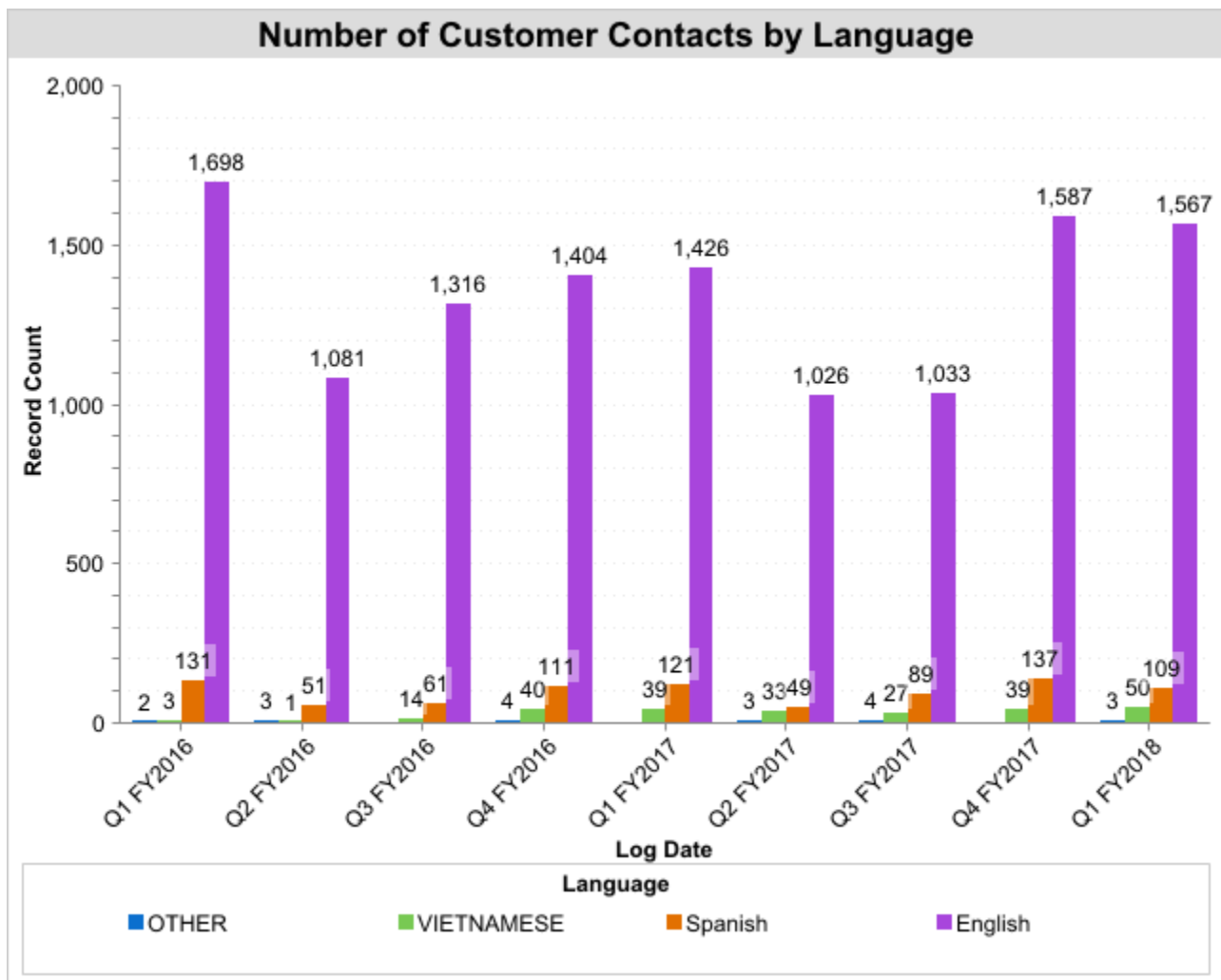
A summary of calls received by the Rent Stabilization Program during the last 9 quarters are provided below:



Number of Customer Contacts by Language

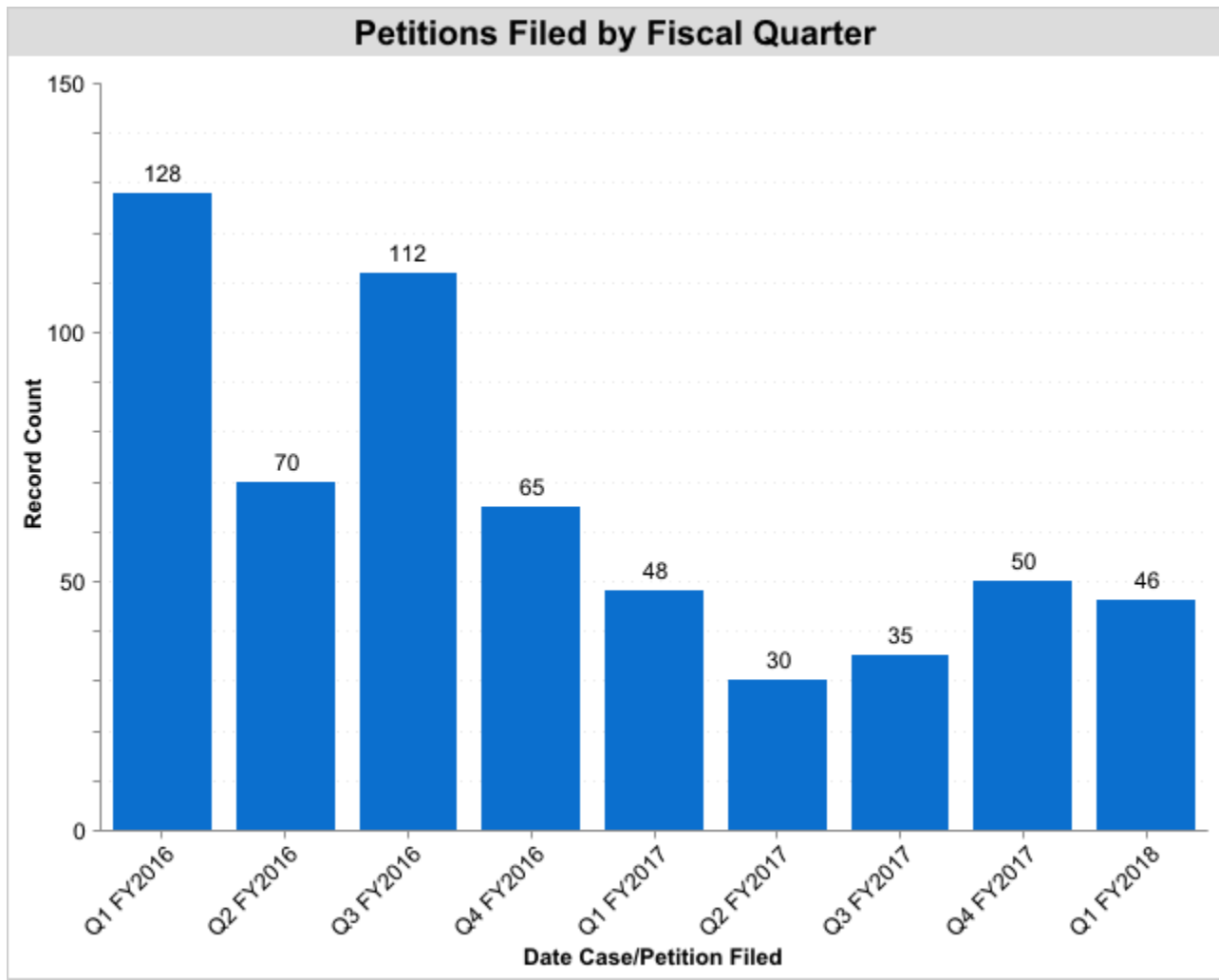
The Rent Stabilization Program received 1,729 inquiries during the first quarter 2018-2019. During the first quarter 2018-2019, the language spoken by individuals making inquiries is provided below.

- 1,567 inquiries (90.63%) received in English;
- 109 inquiries (6.30%) received in Spanish;
- 50 inquiries (2.89%) received in Vietnamese; and
- 3 inquiries (0.18 %) received in Other.



Petitions Filed

A summary of petitions filed by the quarter is provided below. The Rent Stabilization Program received 46 petitions between July 1, 2018 and September 30, 2018. Overall, the number of petitions filed with the Rent Stabilization Program had decreased by four petitions (8%) compared to the prior quarter. Multiple petitions were filed for housing service reductions.



Ratio Utility Billing System (RUBS) Petitions

The Apartment Rent Ordinance, Parts 1-9 of Chapter 17.23 was amended on May 22, 2018 to allow for landlord petitions for one-time offset increase to rent. An “Off Set” Petition must be filed by October 31, 2018 and determined to be complete by November 5, 2018 in order to be eligible for this process. In accordance with Regulations 13.01.4, the Landlord may file an Offset Petition regarding one-time increase pursuant to SJMC 17.23.315A.

Landlords with written utility pass through contracts for water, sewer, and/or garbage (and unmetered electricity/gas) in place prior to January 1, 2018 are allowed to file these petitions for a one-time rent increase. During the first quarter 2018-19, 27 landlords filed an offset petition regarding utility pass throughs.

Apartment Rent Ordinance - Utility Pass Throughs to Tenants

Currently, the Rent Stabilization Program received a total of seven Tenant Petitions regarding utility charges. All seven petitions are pending a hearing after October 31, 2018.

Fair Return Petitions

During the first quarter of 2018-2019 the Rent Stabilization Program did not receive any landlord petitions for a Fair Return. Under the Apartment Rent Ordinance, San José Municipal Code Chapter 17.23, Parts 1-9, owners are assured a fair return. A landlord may petition for a rent adjustment to obtain a fair return in the event that the other increases allowed pursuant to the Apartment Rent Ordinance do not provide a fair return.

Capital Improvements Petitions

During the first quarter of 2018-2019 the Rent Stabilization Program received two landlord petitions for the Capital Improvements. The Petition Examiner issued an Administrative Decision for each petition.

Joint Landlord and Tenant Petition

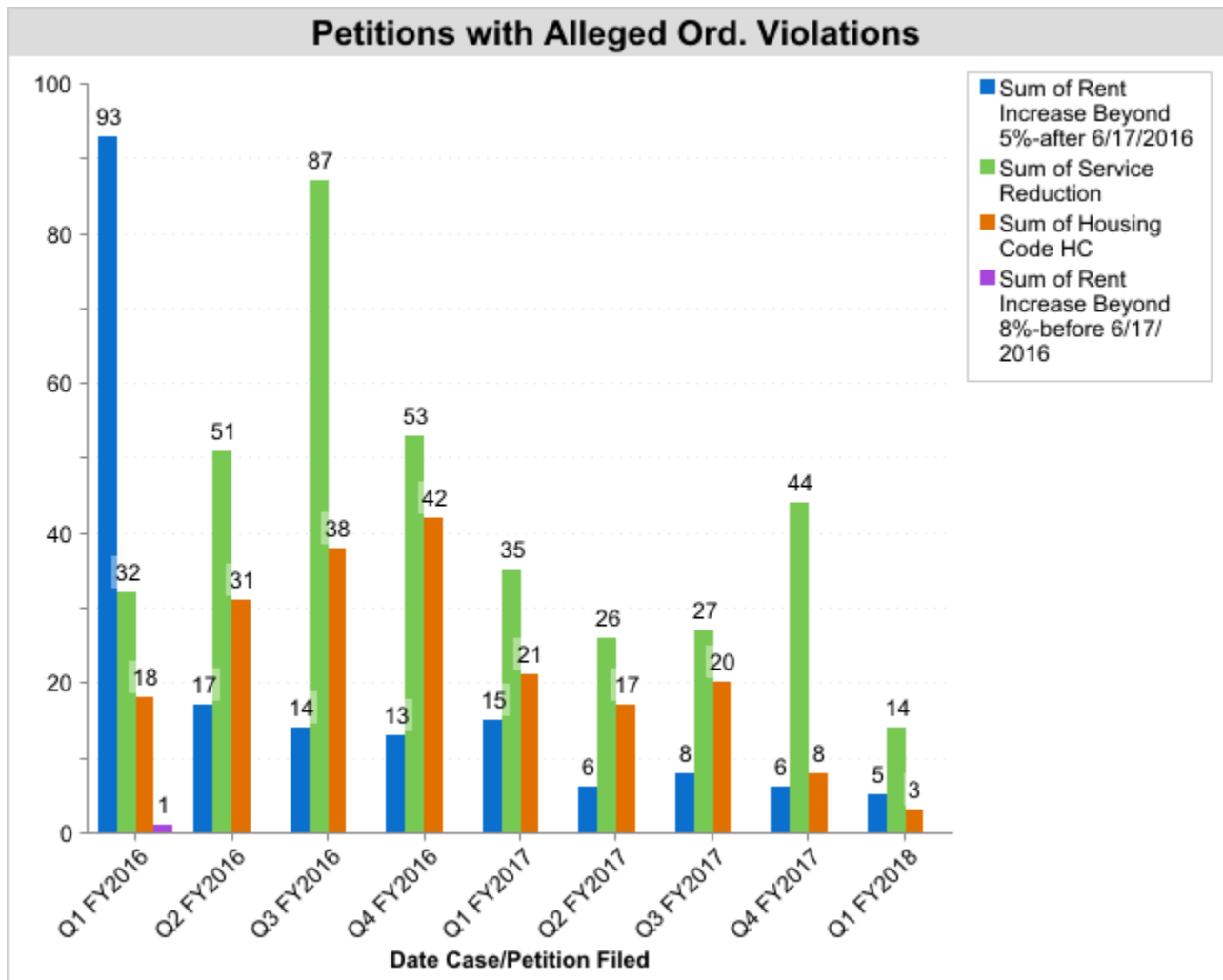
During the first quarter 2018-19 one tenant filed a joint petition to request approval of a one-time payment for Security Deposit for pet (\$500), and an increase in the rent 2.8% which is less than the 5% maximum, to add a friend to the rental agreement. The petition examiner approved the Joint Petition.

Petitions Filed During the First Quarter 2018-2019 with Alleged Ordinance Violations

A summary of petitions with alleged ordinance violations is provided below. As mentioned, the Rent Stabilization Program received 46 petitions during the first quarter 2018-2019. Below is a breakdown of those petitions:

- 14 tenant petitions (30%) filed regarding service reductions;
- 5 tenant petitions (11%) filed regarding rent increases; and
- 3 tenant petitions (7%) filed regarding housing code issues.

Note: As mentioned earlier, there were 22 landlord petitions filed regarding RUBS, and 5 tenant petitions filed regarding utility charges.

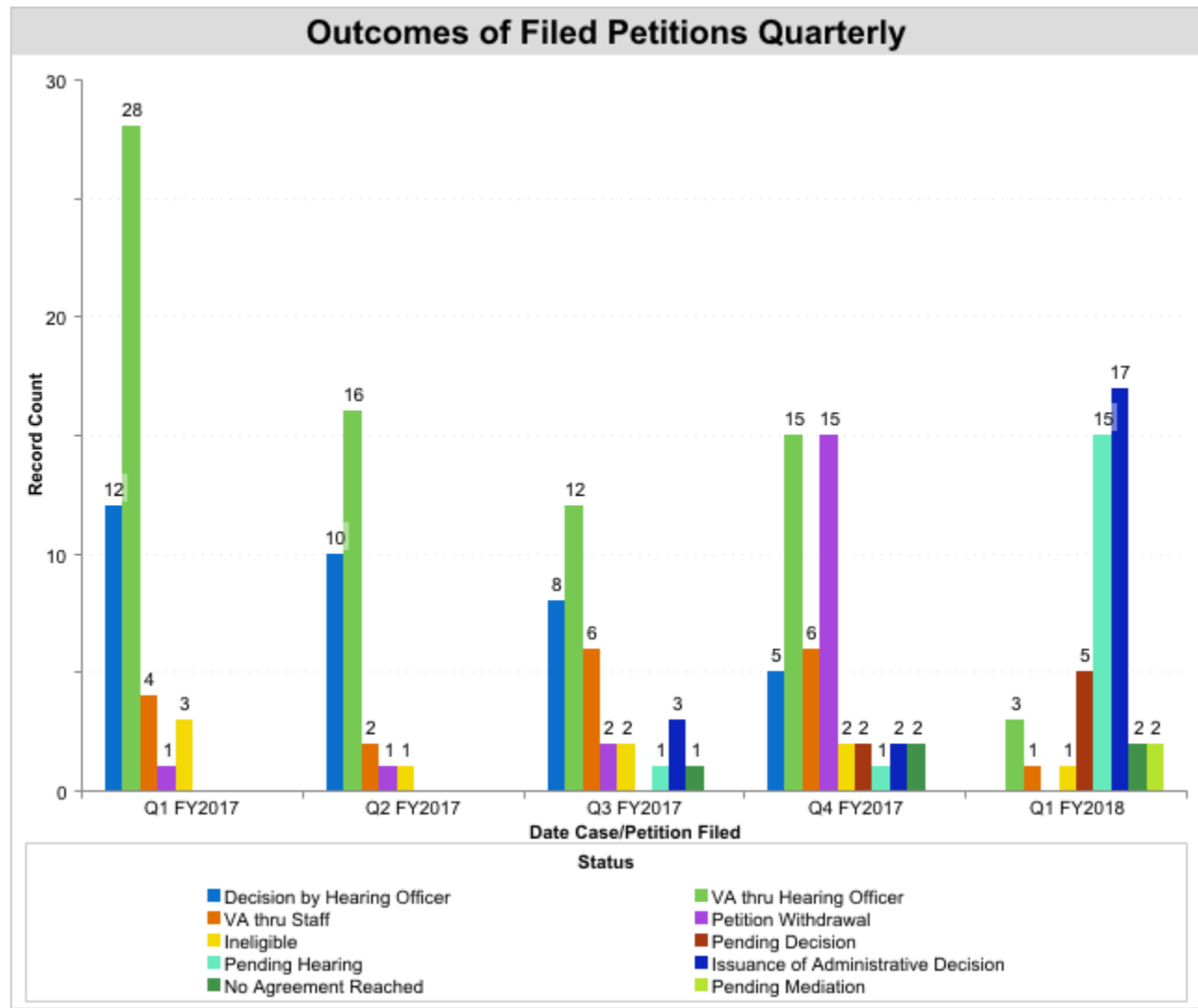


Outcomes of Filed Petitions

The outcome of the petitions filed with the Rent Stabilization Program for the first quarter is provided below.

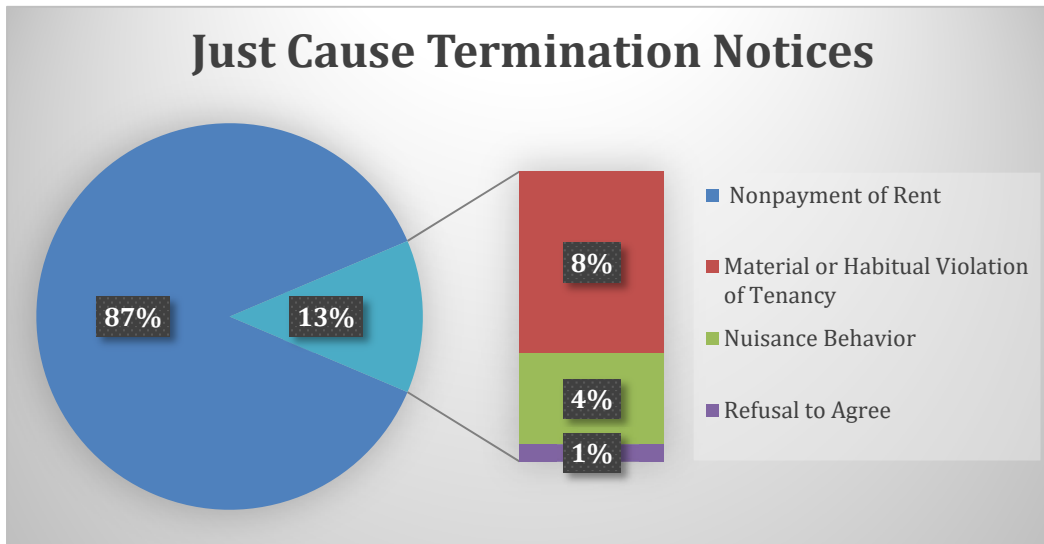
Percentage based by number petitions filed (46 petitions)

- 17 petitions (37%) Issuance of Administrative Decision;
- 15 petitions (33%) pending hearing;
- 5 petitions (11%) pending decision;
- 3 petitions (7%) resolved voluntarily by Hearing Officer;
- 2 petitions (4%) no agreement reached;
- 2 petitions (4%) pending mediation;
- 1 petition (2%) petition ineligible;
- 1 petition (2%) resolved voluntarily by staff.



Just Cause Terminations

From July 1, 2018 through September 30, 2018 the Rent Stabilization Program received 2,521 Just Cause Termination notices, and from April 1, 2018 through June 30, 2018 there were 2,650 notices received. During the last two quarters 5,171 notices were filed with the Rent Stabilization Program. 87% or 2,162 of the first quarter just cause was due to nonpayment of rent.



Reason Stated on the Notice to Vacate	Total
1. Nonpayment of rent	2,162
2. Material or habitual violation of tenancy	209
4. Refusal to agree to a like or new rental agreement	18
5. Nuisance behavior	88
7. Unapproved holdover subtenant	12
9. Substantial rehabilitation of the unit	5
11. Owner move-in	18
12. Order to vacate	6
13. Vacation of unpermitted unit	3
Total	2,521

/s/
 Fred Tran
 Acting Program Manager
 Rent Stabilization Program



Memorandum

TO: HOUSING AND COMMUNITY
DEVELOPMENT COMMISSION

FROM: Fred Tran

SUBJECT: SEE BELOW

DATE: January 10, 2019

Approved

Date

**SUBJECT: 2018-2019 SECOND QUARTER ACTIVITIES IN THE HOUSING
DEPARTMENT'S RENT STABILIZATION PROGRAM**

PURPOSE

The Rent Stabilization Program is providing a summary of Program activities including reports, rental market status, apartment call log inquiries, and petitions filed for the second quarter 2018–2019 to the Housing and Community Development Commission (HCDC). The Rent Stabilization Program provides education and information to protect the rights of, and improve relations between tenants and property landlords.

PROGRAM HIGHLIGHTS

Major actions taken during the second quarter 2018 – 2019 are summarized below.

Ratio Utility Billing System (RUBS) – Offset Petition

The Apartment Rent Ordinance, Chapter 17.23.315 was amended on May 22, 2018 to allow for landlord to petition for a one-time offset to increase rent for RUBS. Offset Petitions had to be filed with the Program by October 31, 2018 to be eligible. Landlords with existing written utility pass through contracts for water, sewer, and/or garbage prior to January 1, 2018 were allowed to file a petition for the one-time rent increase. During the second quarter 100 Offset Petitions were filed bringing the total RUBS Petitions to approximately 135 (over 7,400 units) for the year. This represents approximately 19% of the rent stabilized apartments.

Program staff had to determine if the Offset Petitions filed were complete and eligible by November 30, 2018. Notices were sent out to all landlords and tenants involved to inform them of completeness and eligibility. Staff is currently reviewing the allocation for each petition to determine the allowable one-time rent increase the landlord can charge to each tenant. Once the review is complete, a decision will be issued to both landlord and tenant. It is anticipated that the process will be completed by Spring 2019.

Duplexes

Housing Department staff were directed by the City Council in April 2018 to research and bring back duplexes to possibly be included under the Tenant Protection Ordinance. The Program mailed out surveys to landlords requesting information and received additional feedback during various public outreach meetings. On November 8, 2018, HCDC recommended to apply Tenant Protection Ordinance to non-owner occupied duplexes, exempting the entire building if the landlords occupies one or more units. On December 11, 2018 Council accepted staff recommendation to not include duplexes to the Tenant Protection Ordinance.

Ellis Act Ordinance

Currently, there are two Ellis Act Ordinance projects. One project is under the Apartment Rent Ordinance and is subject to the re-control and right to return provisions. The second project is a post-1979 apartment complex. The Program continues to receive inquiries from developers, landlords, and realtors asking for further clarification of the Ellis Act Ordinance.

The first project under the Ellis Act is a four-plex located at 8 East Reed Street. A total of three tenants have been impacted. One of the tenants moved out prior to the formal noticing. The remaining tenants have received a notice, have withdrawn their base relocation assistance from escrow, and have met with the City assigned relocation specialist and all tenants have relocated to different cities within the California.

The second project is located on 307 Stockton Ave. The building is a 5-unit non-rent stabilized complex. All three tenant households have been noticed. Only one tenant contacted the City relocation specialist, and the other tenants relocated without the City's assistance. The relocation specialist contacted all tenant household to determine if they qualify for extended tenancy. All tenants have access to the relocation specialist to develop a relocation plan. To date, two of the three tenants have relocated into new homes.

Rent Registry

The Rent Registry went live on August 1, 2018. As of December 31, 2018, approximately 20,300 of the estimated 39,000 units (52%) were registered in the Rent Registry. Landlords have until February 1, 2019, to register their apartments. On December 13, 2018, a reminder postcard was mailed to landlords who have not yet registered their apartments in the Rent Registry. An e-blast will be sent at the end of the registration period informing landlords that the deadline to register has ended. Landlords who do not register by February 1, 2019, will not be eligible to issue annual rent increases.

PUBLIC OUTREACH

Staff met with a wide range of stakeholders while developing amendments to the Apartment Rent Ordinance, Tenant Protection Ordinance, and the Ellis Act Ordinance. A summary of all public meetings is listed in below in Table 1.

Table 1: Summary of Community and Outreach Meetings

Community Meetings

Date	Meeting	Location
December 13, 2018	Special Housing and Community Development Commission	Roosevelt Community Center
November 8, 2018	Rent Stabilization Program – Tenant Protection Ordinance and Ellis Act Ordinance Community Meeting	San Jose City Hall, Wing Rooms
November 8, 2018	Neighborhood Services & Education Committee Meeting	San Jose City Hall, Wing Rooms
November 6, 2018	Rent Stabilization Program – Rent Registry Workshop	Martin Luther King Library
November 5, 2018	Expansion to duplexes - Proposed changes to TPO	Bascom Community Center
November 2, 2018	Rent Stabilization Program – Rent Registry Workshop	Roosevelt Community Center
November 1, 2018	Expansion to duplexes - Proposed changes to TPO	Bascom Community Center
October 11, 2018	Rental Housing Network Expansion to duplexes - Proposed changes to TPO	American Legion Willow Glen
October 11, 2018	Housing and Community Development Meeting (HCDC)	Roosevelt Community Center

Outreach Events

Date	Meeting	Location
November 29, 2018	Cafecito Nuestra Vision/PEACE Antidisplacement Event	Mexican Heritage Plaza
October 27, 2018	Project Hope Program Kick-Off	Welch Park
October 26, 2018	Safe & Green Halloween	McKinley Elementary School
October 16, 2018	Mission College Wellness Fair	Mission College
October 16, 2018	Annual Senior Wellness Fair	San Jose City Hall
October 13, 2018	Day in the Park Fall Family Festival	Lake Cunningham Park
October 7, 2018	Prusch Farm Mountain Music Festival	Emma Prusch Park
October 7, 2018	Day in the Bay	Alviso County Park

October 6, 2018	Crime and Gang Prevention Summit	San Jose City College
October 3, 2018	Overfelt Adult Center Community fair	Overfelt Adult Center

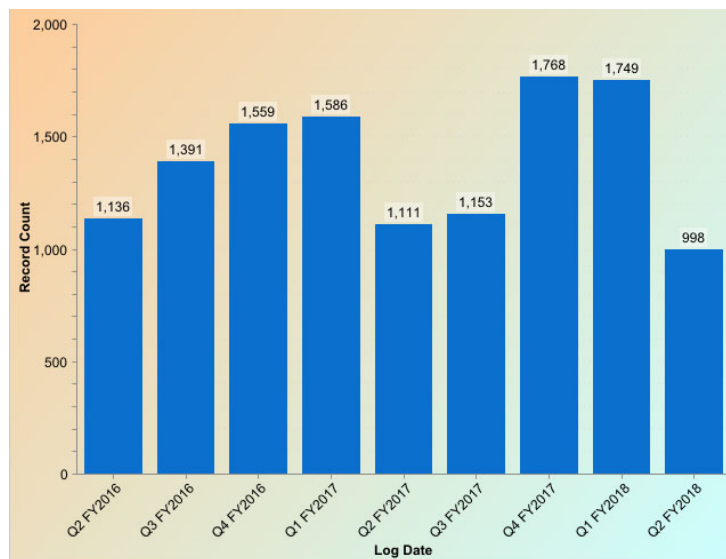
Duplex landlords that attended the Community Meetings offered a significant amount of feedback on the challenges of renting in the market. Many landlords also expressed their concerns having their units being subject to the Tenant Protection Ordinance. Staff attained useful information and statistics while completing research as directed by Council. The findings were gathered to report to Council on the December 2018 meeting.

Numerous Rent Registry Workshops were conducted to assist landlords with registering their units in the database. Technical assistance was offered at local computer labs at various community centers around the City. It was helpful for landlords to have hands on assistance with their initial registration. The RSP staff also continued to table at Outreach Events to update the Public on the Ordinances and any proposed changes. The community could gain a better understanding of the Program and receive information to their needs.

Apartment Call Log Report Inquiries

From October 1, 2018 through December 31, 2018, the Rent Stabilization Program received 998 inquiries and 1,749 from July 1, 2018 through September 30, 2018. During the first quarter, the calls received were primarily regarding the rent registry and landlords’ RUBS petitions. Seasonally, customer contacts decrease in the 2nd quarter due to Holidays observed and furlough. The decrease in contacts can also be attributable to less revisions and updates to all 3 Ordinances.

Table 2: Summary of calls received by the Rent Stabilization Program during the last 9 quarters:

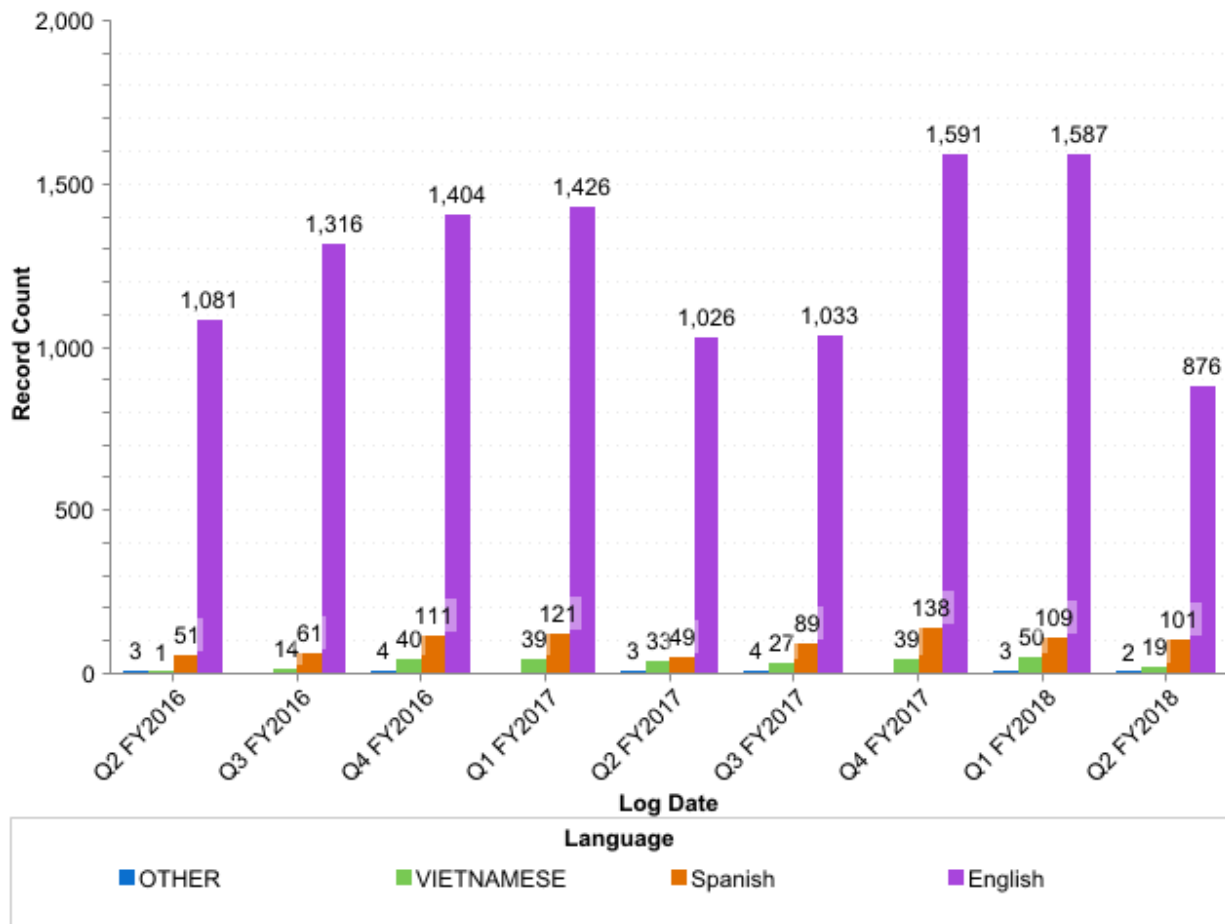


Number of Customer Contacts by Language

The Rent Stabilization Program received 998 inquiries during the second quarter 2018-2019. During the second quarter 2018-2019, the language spoken by individuals making inquiries is provided below.

- 876 inquiries (87.78%) received in English;
- 101 inquiries (10.12%) received in Spanish;
- 19 inquiries (1.90%) received in Vietnamese; and
- 2 inquiries (0.20) % received in Other.

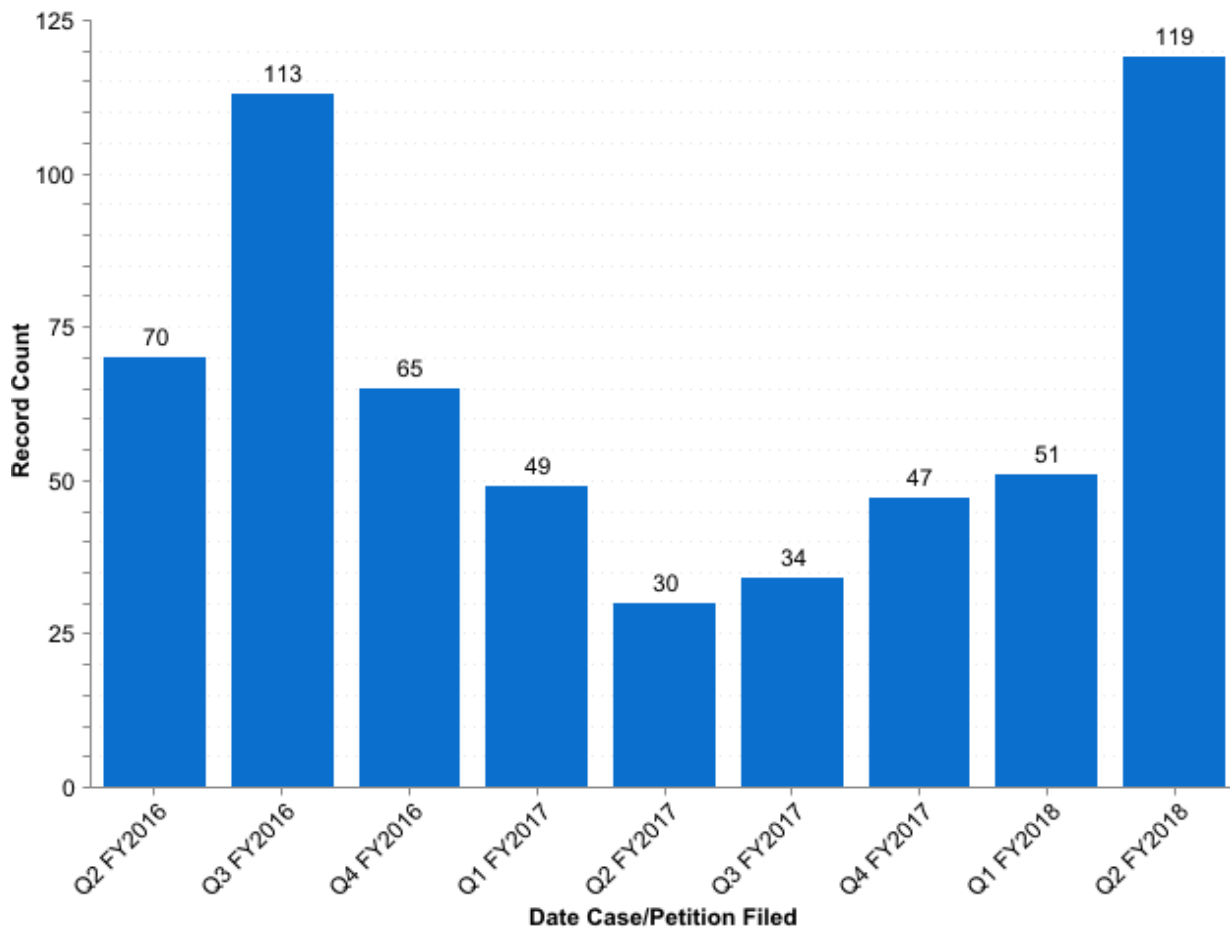
Table 3: Number of Customer Contacts by Language



Petitions Filed

A summary of petitions filed quarterly is provided below. The Rent Stabilization Program received 51 petitions (35 RUBS and 16 non-RUBS) between July 1, 2018 and September 30, 2018, and 119 (100 RUBS and 19 non-RUBS) petitions between October 1, 2018 and December 31, 2018. Overall, the number of petitions filed with the Rent Stabilization Program increased by 68 (57%) from previous quarter due to 100 RUBS petitions filed by landlords in the second quarter. Petitions filed that did not involve RUBS had increased slightly by 3 from prior quarter (housing service reduced or code issues).

Table 4: Petitions Filed by Fiscal Quarter



Apartment Rent Ordinance - Utility Pass Throughs to Tenants

Currently Rent Stabilization Program received 6 tenant's petitions regarding utility charges. All six petitions are pending a hearing.

Fair Return Petitions

During the second quarter of 2018-2019 the Rent Stabilization Program received one landlord petition for a Fair Return. The landlord submitted an appeal in November 1, 2018 and is pending a decision from the Hearing Officer. Under the Apartment Rent Ordinance, San José Municipal Code Chapter 17.23, landlords are assured a fair return. A landlord may petition for a rent adjustment to obtain a fair return in the event that the other increases allowed pursuant to the Apartment Rent Ordinance does not provide a fair return.

Capital Improvements Petitions

During the second quarter of 2018-2019 the Rent Stabilization Program did not received landlord petition for Capital Improvements.

Joint Landlord and Tenant Petition

During the second quarter 2018-19 two joint petitions were filed with the Program to request approval of relocation assistance. A Landlord filed a fully executed Buyout Agreement, along with the signed Tenant Buyout Disclosure with RSP staff.

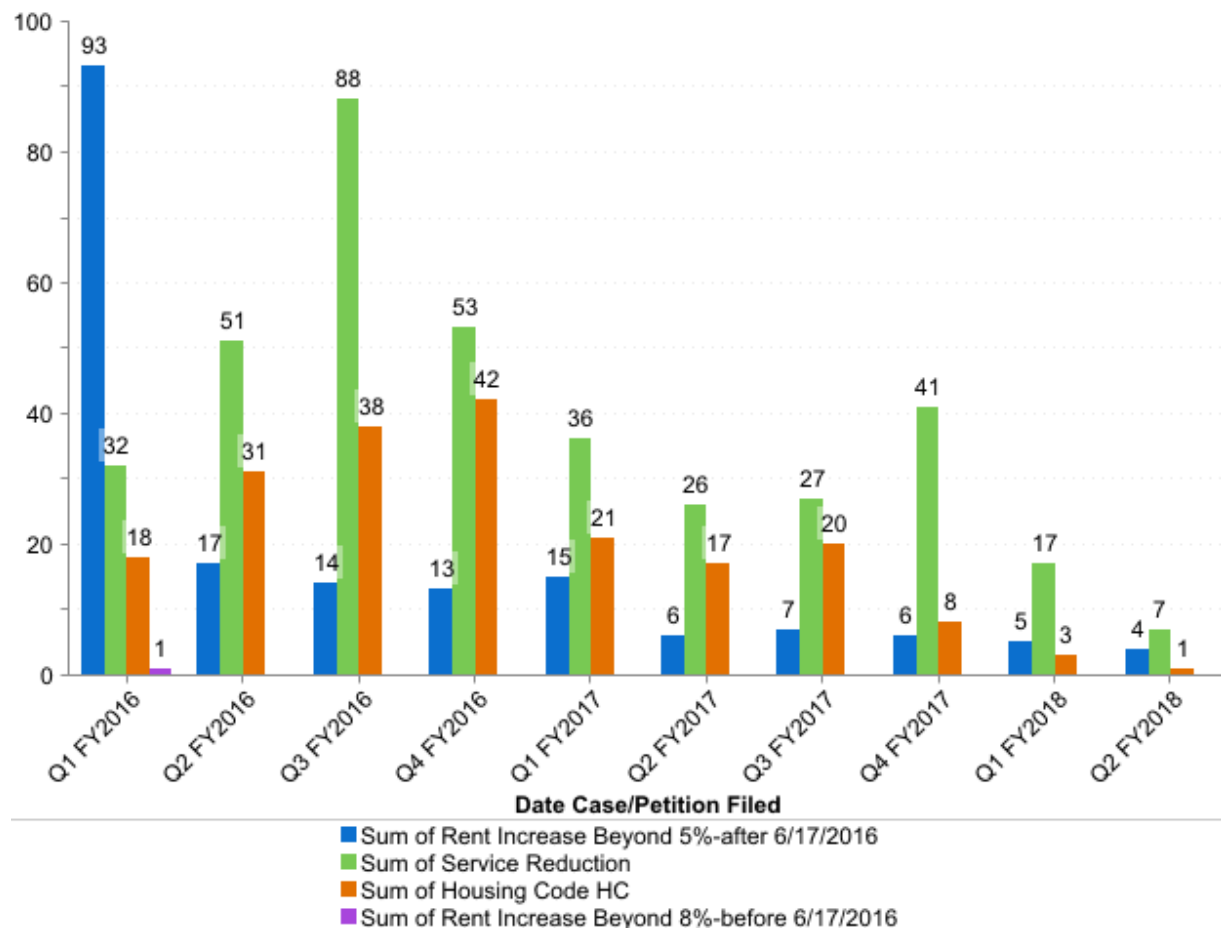
Petitions Filed During the Second Quarter 2018-2019 with Alleged Ordinance Violations

A summary of petitions with alleged ordinance violations is provided below. As mentioned, the Rent Stabilization Program received 119 petitions during the second quarter 2018-2019. Below is a breakdown of those petitions:

- 7 petitions (6%) filed regarding service reductions;
- 4 petitions (3%) filed regarding rent increases; and
- 1 petitions (1%) filed regarding housing code issues.

Note: As mentioned earlier 100 petitions filed regarding RUBS, 6 petitions filed regarding utility charges, and 2 joint petitions are filed.

Table 5: Petitions with Alleged Ordinance Violations



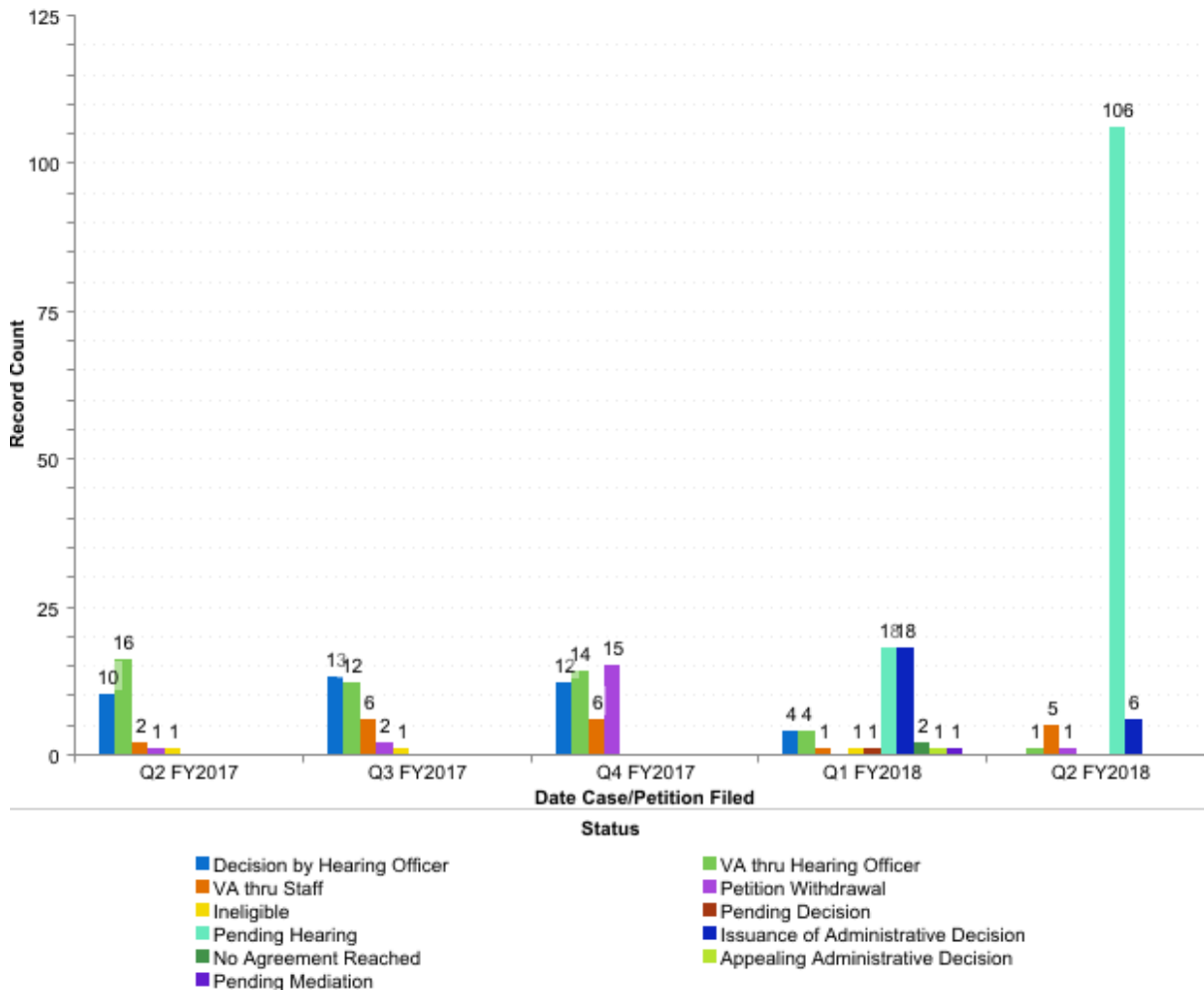
Outcomes of Filed Petitions

The outcome of the petitions filed with the Rent Stabilization Program for the second quarter is provided below.

Percentage based by number petitions filed (119 petitions)

- 6 petitions (5%) Issuance of Administrative Decision;
- 1 petition (1%) pending hearing;
- 106 petitions (89%) pending tentative decision;
- 1 petition (1%) resolved voluntarily by Hearing Officer;
- 5 petition (4%) resolved voluntarily by staff.

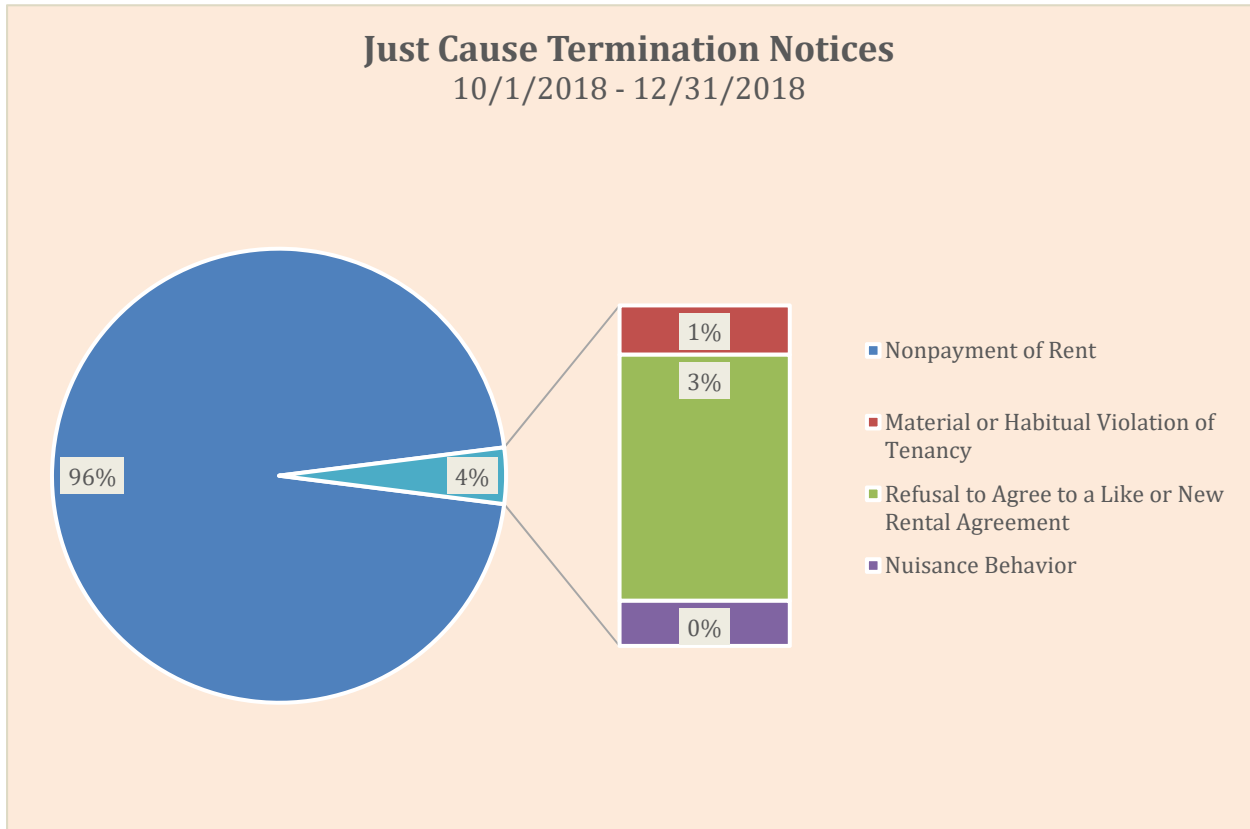
Table 6: Outcomes of Filed Petitions



Just Cause Terminations

From October 1, 2018 through December 31, 2018 the Rent Stabilization Program received 2,076 Just Cause Termination notices, and from July 1, 2018 through September 30, 2018 there were 2,521 notices received. During the last two quarters 4,597 notices were filed with the Rent Stabilization Program. 96% or 1,993 of the second quarter just cause was due to nonpayment of rent.

Table 7: Just Cause Termination Notices



	Oct-18	Nov-18	Dec-18	Total
1. Nonpayment of rent	597	662	734	1,993
2. Material or habitual violation of tenancy	6	4	2	12
4. Refusal to agree to a like or new rental agreement	23	20	17	60
5. Nuisance behavior	6	5	0	11
Total	632	691	753	2,076

/s/
 Fred Tran
 Acting Program Manager
 Rent Stabilization Program

Memorandum

TO: HOUSING AND COMMUNITY
DEVELOPMENT COMMISSION

FROM: Theresa Ramos

SUBJECT: SEE BELOW

DATE: January 10, 2019

Approved

Date

SUBJECT: 2018-2019 Second Quarterly Mobilehome Report for the Rent Stabilization Program

PURPOSE

The Rent Stabilization Program is providing a summary of program activity, including reports and mobilehome call log inquiries, for the second Quarterly Report, FY 2018-19, October 1, 2018 to December 31, 2018, regarding mobilehome issues and trends impacting San José mobilehome park communities.

In addition, this report covers current issues. The Rent Stabilization Program provides education and information to protect the rights and improve relations between residents and park owners/managers. The Housing and Community Development Commission (HCDC) has requested periodic data from the Program.

PROGRAM HIGHLIGHTS

Major actions taken during the second quarter of FY 2018-19 include:

Mobilehome Inquiries

During this fourth quarter, the Rent Stabilization Program received 64 mobilehome park inquiries (**Attachment A**).

Types of inquiries during this fourth quarter include:

- Mobilehome Fee Exemption Request Form
- Residents' Rights
- Referral Advice
- Evictions

Below is a summary of alleged park issues during this quarter:

Park Specific

San Jose Verde Mobilehome Park (149 Spaces)

Program staff received concerns from residents about utility overcharge. RSP staff reviewed residents' utility invoices received from the park owner with utility service billing rates. RSP staff reviewed documents and found a discrepancy with sewer and trash rates. A letter was sent to the park owner regarding a discrepancy of charges and a recommendation that the park owner work with the residents to resolve such issues.

Ace Trailer Inn Village (57 Spaces)

Resident contacted RSP staff regarding an ongoing security deposit dispute with park management for a mobilehome rental. The resident claimed entitlement of a full security deposit refund, but park management deducted a significant portion due to damages to the property and trash collection. RSP staff explained to the resident that security deposit disputes are civil matters, handled in Santa Clara County's Small Claims Court. RSP staff referred the resident to the Court's self-help services and legal services for assistance.

Colonial Mobile Manor Mobilehome Park (207 Spaces)

On December 14, 2018, RSP staff mailed to all residents, the owner, and counsel, a cover letter and a copy of the RSP Hearing Officer Michael Lowy's decision titled "Order on Petition for Writ of Mandate After Remand from Superior Court." The decision followed the Superior Court's Order vacating Mr. Lowy's prior decision issued on February 10, 2014 after the park owner filed a petition for writ of administrative mandamus. The new decision resulted in an increase of calls to RSP staff from residents who had questions and concerns regarding why a new decision was issued, the impact on their space rent, and the frequency of a rent increase. RSP staff briefly explained to the residents the park owner's petition for a rent increase, the hearing officer's initial decision, the park owner's petition to Superior Court, and the hearing officer's new decision allowing a rent increase of \$45.06 per space per month. RSP staff informed residents that the new decision could not be appealed with the City of San José's Rent Stabilization Program and referred residents to their representatives.

Old Orchard Mobilehome Park (102 Spaces)

RSP staff received concerns from a resident regarding claims of harassment from new park management and referred the resident to legal services for assistance. RPS staff inquired with park management and learned that there were concerns about alleged park rule violations, such as subletting and safety and health concerns. RSP staff followed up with the resident and explained that park rules indicated that only individuals listed on the lease could reside in the home. At the park resident's request, RSP staff obtained a copy of the lease and park rules. RSP staff referred the resident to legal service for assistance regarding potential lease amendments.

Winchester Mobilehome Park (111 Spaces) and River Glen Mobilehome Park (163 Spaces)

RSP staff received concerns from a resident advocate regarding anti-displacement allegations of park management eviction of residents. RSP staff currently tracks mobilehome evictions when residents contact RSP staff and request information about evictions.

Mayfair Mobilehome Park (54 Spaces)

RSP staff received concerns from residents regarding electrical issues and increased utility charges. RSP staff has contacted the park owner regarding issues and assisting the park owner and residents with their issues. RSP staff has referred residents to the state Ombudsman's Office, weights and measures, and legal services for assistance.

General Trends

General mobilehome trends during this quarter include inquiries about the Mobilehome Fee Exemption Request Form, mobilehome registration and titling changes, as well as health and safety code violations.

Program Notices

On October 1, 2018, RSP staff mailed out the Mobilehome Fee Exemption Request Form to all park owners and management. The deadline to file an exemption was November 2, 2018. RSP staff generated Mobilehome Fee Exemption Invoices and mailed out notices on November 27, 2018 to park owners. The Mobilehome Fees decreased from \$34.10 to \$25.70 of which the Mobilehome Rent Ordinance allows one-half (\$12.85) of the fee to be passed to park residents.

On December 1, 2018, RSP staff mailed out the Mobilehome Annual Notice to Prospective Buyers to park owners and management for park resident distribution.

Mobilehome Research Project

The Housing Department was invited by the State's Housing and Community Development (HCD) to participate in Mobilehome Park Research Project. A CivicSpark Fellow Intern, assigned to conduct an 11-month project at HCD submitted a workplan to the AmeriCorps organizers who is the Local Government Commission. The workplan includes San José census demographics as well data collection from HCD complaints and inspections.

/s/

Theresa Ramos
Senior Analyst, Department of Housing
Rent Stabilization Program

ATTACHMENT:

Attachment A: Mobilehome Call Log



Memorandum

TO: HOUSING & COMMUNITY DEVELOPMENT COMMISSION (HCDC)

FROM: Theresa Ramos

SUBJECT: CALL LOG REPORT

DATE: 1/10/2019

Total Calls=64

	Date	Requestor	Mobilehome Park	Topic	Resolution Suggested
Oct	10/1/2018	RESIDENT	WINCHESTER RANCH MOBILEHOME COMMUNITY	Ordinance	Information
Oct	10/1/2018	RESIDENT	MAYFAIR TRAILER PARK	Referral Advice	Referral
Oct	10/1/2018	Property Manager	ACE TRAILER INN VILLAGE	Referral Advice	Referral
Oct	10/2/2018	RESIDENT	OLD ORCHARD MOBILEHOME PARK	Rights	Referral
Oct	10/4/2018	ATTORNEY	WINCHESTER RANCH MOBILEHOME COMMUNITY	Office Information	Information
Oct	10/4/2018	RESIDENT	WINCHESTER RANCH MOBILEHOME COMMUNITY	Office Information	Information
Oct	10/8/2018	RESIDENT	PEPPERTREE MOBILEHOME ESTATES	Office Information	Information
Oct	10/9/2018	RESIDENT	Unavailable	Referral Advice	Referral
Oct	10/10/2018	RESIDENT	COLONIAL MOBILE MANOR MOBILEHOME PARK	Lease Dispute	Referral
Oct	10/10/2018	LANDLORD	SILVER CREEK MOBILEHOME PARK	Office Information	Information
Oct	10/10/2018	RESIDENT	TRAILER TERRACE	Rights	Referral
Oct	10/11/2018	RESIDENT	WINCHESTER RANCH MOBILEHOME COMMUNITY	Referral Advice	Referral

Oct	10/11/2018	RESIDENT	Unavailable	Service	Other
Oct	10/11/2018	RESIDENT	Unavailable	Harrasment	Referral
Oct	10/11/2018	RESIDENT	MOUNTAIN SPRINGS	Service	Referral
Oct	10/12/2018	Property Manager	RIVERBEND MOBILEHOME PARK	Office Information	Information
Oct	10/12/2018	LANDLORD	HOMETOWN EASTRIDGE MH PARK	Office Information	Information
Oct	10/12/2018	RESIDENT	HOMETOWN MONTEREY OAKS	Referral Advice	Referral
Oct	10/12/2018	RESIDENT	SAN JOSE VERDE MOBILEHOME PARK	Office Information	Information
Oct	10/15/2018	RESIDENT	Unavailable	Rights	Referral
Oct	10/15/2018	RESIDENT	SAN JOSE VERDE MOBILEHOME PARK	Office Information	Information
Oct	10/15/2018	LANDLORD	RIVERBEND MOBILEHOME PARK	Ordinance	Information
Oct	10/15/2018	RESIDENT	Unavailable	Service	Referral
Oct	10/15/2018	LANDLORD	SILVER CREEK MOBILEHOME PARK	Service	Information
Oct	10/15/2018	RESIDENT	HOMETOWN MONTEREY OAKS	Maintenance	Information
Oct	10/15/2018	RESIDENT	ACE TRAILER INN VILLAGE	Service	Information
Oct	10/16/2018	RESIDENT	MAYFAIR TRAILER PARK	Referral Advice	Referral
Oct	10/17/2018	RESIDENT	MILL POND 1	Referral Advice;Office Information	Referral
Oct	10/17/2018	Property Manager	WINCHESTER RANCH MOBILEHOME COMMUNITY	Office Information	Information
Oct	10/17/2018	LANDLORD	TRIANGLE TRAILER PARK	Office Information	Information
Oct	10/18/2018	RESIDENT	SAN JOSE VERDE MOBILEHOME PARK	Ordinance;Rights;Office Information	Information
Oct	10/19/2018	Property Manager	VILLAGE OF THE FOUR SEASONS	Fees	Information
			WINCHESTER		

Oct	10/22/2018	RESIDENT	RANCH MOBILEHOME COMMUNITY	Office Information	Information
Oct	10/31/2018	RESIDENT	COLONIAL MOBILE MANOR MOBILEHOME PARK	Petition/Hearing;Office Information	Information
Nov	11/1/2018	TENANT	MOBILEHOME MANOR MOBILEHOME PARK	Service	Referral
Nov	11/1/2018	OTHER	COUNTY FAIR MOBILEHOME PARK	Rights	Information
Nov	11/5/2018	RESIDENT	CHATEAU LA SALLE MOBILEHOME PARK	Office Information	Information
Nov	11/6/2018	TENANT	OLD ORCHARD MOBILEHOME PARK	Lease Dispute	Referral
Nov	11/7/2018	RESIDENT	OLD ORCHARD MOBILEHOME PARK	Office Information	Information
Nov	11/7/2018	LANDLORD	CHATEAU LA SALLE MOBILEHOME PARK	Service	Information
Nov	11/7/2018	RESIDENT	SAN JOSE VERDE MOBILEHOME PARK	Office Information	Information
Nov	11/7/2018	OTHER	LAMPLIGHTER MOBILEHOME PARK	Allowable Rent Increase	Information
Nov	11/7/2018	LANDLORD	OLD ORCHARD MOBILEHOME PARK	Office Information	Information
Nov	11/8/2018	RESIDENT	WHISPERING HILLS MOBILEHOME PARK	Service	Information
Nov	11/9/2018	RESIDENT	OLD ORCHARD MOBILEHOME PARK	Rights	Information
Nov	11/13/2018	RESIDENT	WESTERN TRAILER MOBILEHOME PARK	Referral Advice	Referral
Nov	11/13/2018	RESIDENT	Unavailable	Referral Advice	Referral
Nov	11/13/2018	RESIDENT	Unavailable	Allowable Rent Increase	Information

Nov	11/19/2018	RESIDENT	OLD ORCHARD MOBILEHOME PARK	Office Information	Information
Dec	12/3/2018	LANDLORD	SAN JOSE TRAILER PARK	Fees	Information
Dec	12/3/2018	RESIDENT	SUMMERSET MOBILEHOME PARK	Referral Advice	Referral
Dec	12/3/2018	LANDLORD	HOMETOWN EASTRIDGE MH PARK	Office Information	Information
Dec	12/3/2018	Property Manager	ACE TRAILER INN VILLAGE	Office Information	Information
Dec	12/4/2018	RESIDENT	LAMPLIGHTER MOBILEHOME PARK	Allowable Rent Increase	Information
Dec	12/6/2018	RESIDENT	ACE TRAILER INN VILLAGE	Referral Advice	Referral
Dec	12/12/2018	RESIDENT	MAGIC SANDS	Referral Advice	Referral
Dec	12/13/2018	RESIDENT	CASA ALONDRA MOBILEHOME PARK	Referral Advice	Referral
Dec	12/17/2018	RESIDENT	COLONIAL MOBILE MANOR MOBILEHOME PARK	Allowable Rent Increase	Referral
Dec	12/17/2018	RESIDENT	VILLAGE OF THE FOUR SEASONS	Referral Advice	Referral
Dec	12/17/2018	RESIDENT	Unavailable	Referral Advice	Referral
Dec	12/17/2018	RESIDENT	COLONIAL MOBILE MANOR MOBILEHOME PARK	Office Information	Information
Dec	12/18/2018	RESIDENT	Unavailable	Referral Advice	Referral
Dec	12/18/2018	RESIDENT	COLONIAL MOBILE MANOR MOBILEHOME PARK	Allowable Rent Increase	Information
Dec	12/20/2018	RESIDENT	SAN JOSE VERDE MOBILEHOME PARK	Office Information	Information

Brief Synopsis on Disposition of Calls

10/1/2018 - WINCHESTER RANCH MOBILEHOME COMMUNITY

Resident's Issue: Resident called Program staff to request information about list of appraisers and relocation specialist associated with the conversion of Winchester Ranch. Program staff noted his questions and returned his call.

10/1/2018 - MAYFAIR TRAILER PARK

Resident's Issue: Resident's mother called on his behalf to request additional referrals to legal agencies. Program staff offered the free legal information and counseling line.

10/1/2018 - ACE TRAILER INN VILLAGE

Other: Park manager called Program staff to request advice about reissuing a third security deposit. According to Park management, the Resident claims that they have not received their security deposit in the mail, even after Park management reissued it. Program staff referred the Park management to free legal information and counseling regarding their concern.

10/2/2018 - OLD ORCHARD MOBILEHOME PARK

Resident Issue: Resident stated that new manager is discriminating/harassing him and fellow resident and would like the City to speak to manager and park owner. Staff will contact Park owner and park manager to share the ordinance and build relationship. Resident was referred to Bay Area Legal Aid to address concerns.

10/4/2018 - WINCHESTER RANCH MOBILEHOME COMMUNITY

Other: Attorney called Program staff because of confusion regarding City assigned relocation specialist for mobilehome conversions. Program staff clarified that there is only one relocation specialist available for mobilehome conversions.

10/4/2018 - WINCHESTER RANCH MOBILEHOME COMMUNITY

Other: Program staff informed the Resident of the development of an informational memo addressing his questions, which would be made available for the Housing and Community Development Commission.

10/8/2018 - PEPPERTREE MOBILEHOME ESTATES

Resident's Issue: Resident called Program staff to request information about the Housing and Community Development Commission.

10/9/2018 - Unavailable

Resident's Issue: Resident called Program staff to request the State's registration and titling phone number. Program staff provided information and directed the Resident to the Housing and Community Development's website.

10/10/2018 - COLONIAL MOBILE MANOR MOBILEHOME PARK

Resident's issue: Resident requested legal advice regarding being added on to mother's lease agreement versus signing a new lease agreement. Program staff referred the resident to legal services for assistance.

10/10/2018 - SILVER CREEK MOBILEHOME PARK

Other: Park Owner called to speak with Staff member regarding fees. Program staff returned their call.

10/10/2018 - TRAILER TERRACE

Resident's issue: Resident requested legal advice regarding neighbor painting the mobilehome over a period of five days. Program staff referred the resident to the State Ombudsman's Office for assistance.

10/11/2018 - WINCHESTER RANCH MOBILEHOME COMMUNITY

Other: Program staff met with resident after a public meeting on eviction notices to share staff contact information and referrals resources.

10/11/2018 - Unavailable

Other: Program staff returned call and left a message.

10/11/2018 - Unavailable

Resident's issue: Resident requested legal advice regarding harassment from manager. Program staff returned a phone call and referred resident to legal services for assistance.

10/11/2018 - MOUNTAIN SPRINGS

Resident's issue: Resident requested information regarding mobilehome titles. Program staff referred the resident to the State's Mobilehome Title Registry for assistance.

10/12/2018 - RIVERBEND MOBILEHOME PARK

Property Manager: Park Assistant Manager called program staff requesting the mobilehome fee exemption notice. Park management did not receive their mailed notice, so Program staff faxed a copy over and confirmed the assistant manager's receipt.

10/12/2018 - HOMETOWN EASTRIDGE MH PARK

Property Manager: Park Manager called Program staff requesting information about Program fee invoices. Program staff let the manager know that fee invoices will be sent out in early December.

10/12/2018 - HOMETOWN MONTEREY OAKS

Resident's Issue: Resident contacted Program staff to request referrals to the mobilehome ombudsman's office regarding health and safety complaints. Program staff offered the office's number and the state's website.

10/12/2018 - SAN JOSE VERDE MOBILEHOME PARK

Resident's Issue: Resident emailed Program staff requesting copies of previously submitted documentation on utility charges. Program staff called the Park resident and offered to send copies.

10/15/2018 - Unavailable

Resident's issue: Resident requested information on change of mobilehome title. Program staff referred the resident to the State's Mobilehome Title Registry for assistance.

10/15/2018 - SAN JOSE VERDE MOBILEHOME PARK

Resident's Issue: Resident called Program staff to request assistance in scanning leases for an open case. Program staff agreed to help and scheduled an appointment with the Resident.

10/15/2018 - RIVERBEND MOBILEHOME PARK

Landlord's issue: Landlord requested information regarding the annual mobilehome fee. Program staff provided information to the resident.

10/15/2018 - Unavailable

Resident's issue: Resident requested information regarding change of title registry. Program staff referred the resident to the State's Mobilehome Title Registry for assistance.

10/15/2018 - SILVER CREEK MOBILEHOME PARK

Landlord's issue: Landlord requested information regarding pass through of capital improvements. Program explained the City's Mobilehome Rent Ordinance.

10/15/2018 - HOMETOWN MONTEREY OAKS

Resident's issue: Resident requested legal advice regarding dispute with roommate and health and safety alleged violations. Program staff referred the resident to legal services and the State Ombudsman's Office for assistance.

10/15/2018 - ACE TRAILER INN VILLAGE

Resident's issue: Resident requested information regarding maintenance repair. Program staff explained to the resident the code enforcement jurisdiction and responsibilities and was referred to the state Ombudsman's Office for assistance.

10/16/2018 - MAYFAIR TRAILER PARK

Resident's Issue: Resident reached out claiming that they have not yet received assistance. Program staff provided a list with several community and legal resources to assist the Resident with housing instability, non-payment of rent, and health and safety concerns.

10/17/2018 - MILL POND 1

Resident's Issue: Resident is looking to transfer mobilehome title. Program staff referred the Resident to the State's Housing and Community Development Titling and Registration website and phone number.

10/17/2018 - WINCHESTER RANCH MOBILEHOME COMMUNITY

Program Staff: Called to request additional documentation for the annual Mobilehome Fee Exemption Request. Program staff explained that the Mobilehome Rent Control Ordinance puts the burden of proof on the landlord.

10/17/2018 - TRIANGLE TRAILER PARK

Program Staff: Called to confirm Park Owner's address for the Mobilehome Fee Exemption Request Form. Program staff sent a scanned copy of the form via email and mailed a copy to the updated address.

10/18/2018 - SAN JOSE VERDE MOBILEHOME PARK

Resident's Issue: Resident came for an appointment to request assistance with scanning and printing for utility overcharges investigation. Program staff received an update on tenant-landlord issues regarding eviction notices and harassment. Program staff also assisted with printing and scanning of documentation.

10/19/2018 - VILLAGE OF THE FOUR SEASONS

Other: Program manager called Program staff to learn more about the Mobilehome Fee Exemption Form and required documentation. Program staff offered additional information.

10/22/2018 - WINCHESTER RANCH MOBILEHOME COMMUNITY

Other: Program staff was made aware of a second eviction notice at the park from a mobilehome resident advocate. Program staff requested that the resident advocate share the program's contact information to better serve the impacted resident. Program staff was also made aware of the resident's decision to retain a private attorney.

10/31/2018 - COLONIAL MOBILE MANOR MOBILEHOME PARK

Resident's Issue: Resident came for a walk-in to request information about past mobilehome rent-increase petition. Program staff noted the Resident's questions and followed up.

11/1/2018 - MOBILEHOME MANOR MOBILEHOME PARK

Resident's issue: Resident requested mobilehome title change. Program staff referred the resident to the State's Mobilehome Title Registry for assistance.

11/1/2018 - COUNTY FAIR MOBILEHOME PARK

Other: Caller requested assistance with alleged criminal activity at their mobilehome park. Program staff referred the caller to legal services for assistance.

11/5/2018 - CHATEAU LA SALLE MOBILEHOME PARK

Other: Program staff received a voicemail with questions about the mobilehome fee exemption request. Program staff returned the missed call and left a voicemail with call-back number.

11/6/2018 - OLD ORCHARD MOBILEHOME PARK

Resident's issue: Resident requested legal advice regarding tenancy requirements. Program staff referred the resident to legal services for assistance.

11/7/2018 - OLD ORCHARD MOBILEHOME PARK

Other: Program staff reached out to park management to inquire about change in management. Park staff stated that no changes to management have occurred. Program staff prepared a packet of resources that included city and state policies governing mobilehomes, staff business cards, and a list of local tenant-landlord resources.

11/7/2018 - CHATEAU LA SALLE MOBILEHOME PARK

Other: Program staff returned phone call and left a message.

11/7/2018 - SAN JOSE VERDE MOBILEHOME PARK

Resident's Issue: Resident contacted Program staff regarding a rent increase. Resident provided staff with notice of proposed rent increase, but notice does not state what the tenant was previously paying. Program staff emailed resident to inquire about previous rent amount to determine the percentage.

11/7/2018 - LAMPLIGHTER MOBILEHOME PARK

Other: Caller requested information regarding mobilehome park living and park rules. Program staff referred to the State Ombudsman for information.

11/7/2018 - OLD ORCHARD MOBILEHOME PARK

Other: Program staff reached out to management company to inquire about change in park management. Management confirmed that there has not been any changes. Program staff sent out a packet of useful resources on rent control and state laws.

11/8/2018 - WHISPERING HILLS MOBILEHOME PARK

Resident's issue: Resident requested information regarding park rules and enforcement. Program staff referred the resident to the park management for a copy of rules.

11/9/2018 - OLD ORCHARD MOBILEHOME PARK

Other: Program staff contacted Resident after speaking to Park management. Program staff relayed Park management's concerns about park rule violations. Program staff requested park rules from management and intends to share them with the Resident to better explain Park policies.

11/13/2018 - WESTERN TRAILER MOBILEHOME PARK

Resident's Concern: Resident would like to know if there's a program for low income residents looking to demolish a mobilehome. Program staff to conduct some research, and per the Resident's request, mail the information to their home. Program staff contacted Habitat for Humanity to inquire on behalf of Resident.

11/13/2018 - Unavailable

Other: Resident left Program staff a voicemail concerning bed bug infestation in her mobilehome. Program staff returned the call at the number provided, but number was incorrect.

11/13/2018 - Unavailable

Other: Resident left Program staff a voicemails with concerns about a recent rent increase. Program staff returned the call, but was unable to reach the resident. Program staff left call back number.

11/19/2018 - OLD ORCHARD MOBILEHOME PARK

Other: Program staff, on the Resident's behalf, requested a copy of Park rules and regulations and a copy of the rental agreement from Park management. Park management agreed to send staff a copy of both items. Program staff will follow up with the Resident.

12/3/2018 - SAN JOSE TRAILER PARK

Other: Manager called to confirm Rent Stabilization Program's mobilehome fee.

12/3/2018 - SUMMERSET MOBILEHOME PARK

Resident's Issue: Resident would like to sublet their mobilehome, but Park rules indicate that it is not allowed. Resident would like to speak to an attorney to see if any amendments are possible. Program staff referred the resident to the appropriate agency.

12/3/2018 - HOMETOWN EASTRIDGE MH PARK

Other: Manager called Program to request copies of the Mobilehome Rent Ordinance. Program staff prepared envelopes with copies of the Ordinance and sent them via mail.

12/3/2018 - ACE TRAILER INN VILLAGE

Other: Staff unsuccessfully delivered Program Fee Invoice via mail. Program staff contacted Park manager to confirm owner's address. Staff updated Park information and faxed a copy of the invoice to management.

12/4/2018 - LAMPLIGHTER MOBILEHOME PARK

Resident's issue: Resident requested legal advice regarding the allowable rent increase. Program staff explained to the resident the City's Mobilehome Rent Ordinance allowable rent increases.

12/6/2018 - ACE TRAILER INN VILLAGE

Resident's Issue: Resident came for a walk-in to request a referral to legal services for a security deposit dispute. Resident's feel that they are entitled to all of their security deposit. Program staff explained that the dispute would happen in small claims court, but that they could speak to an attorney with Law Foundation to discuss their options.

12/12/2018 - MAGIC SANDS

Resident's Issue: Resident requested a referral to the Department of Housing and Community Development to change their Certificate of Title. Program staff offered the State's form, website, and contact information.

12/13/2018 - CASA ALONDRA MOBILEHOME PARK

Resident's Issue: Resident came for a walk-in to request information about fee cell phone program provided by the County. Program staff referred the resident to the appropriate agency.

12/17/2018 - COLONIAL MOBILE MANOR MOBILEHOME PARK

Resident's Issue: Resident called Program staff to learn more about the Park decision that was mailed out on 12/14/18 . The resident asked how much their rent would increase, why that was the case, and how frequently their rent would increase. Program staff explained the history of the decision, why the rent increase applied to them, how much they would have to pay, and how frequently.

12/17/2018 - VILLAGE OF THE FOUR SEASONS

Resident's Issue: Resident called Program staff to request referrals for concerns about the removal of a tree impacting the Resident's home. Program staff referred the resident to the Department of the Housing and Community Development and to legal services. Program staff also recommended that the Resident speak to Park management to try and resolve the issue. The resident claims that the Park does not feel that it is their responsibility.

12/17/2018 - Unavailable

Resident's Issue: Resident called Program staff to request information on their rights as a renter at a mobilehome park. Program staff returned the call and left a voicemail.

12/17/2018 - COLONIAL MOBILE MANOR MOBILEHOME PARK

Resident's Issue: Resident called regarding the re-issued Park decision. The resident asked how much their rent would increase and why. Program staff provided the residents with a brief summary and referred them to the decision, which summarizes the rent increase amount.

12/18/2018 - Unavailable

Other: Resident advocate emailed Program staff requesting referrals for senior housing on behalf of a mobilehome resident who is losing their mobilehome to foreclosure. Program staff offered the appropriate referrals to agencies in Sunnyvale.

12/18/2018 - COLONIAL MOBILE MANOR MOBILEHOME PARK

Resident's Issue: Program staff returned a missed call from this number. The Resident requested clarity on a rent award decision that was recently mailed out to the resident's of this mobilehome park. Staff returned the call and left a voicemail asking the resident to call back.

12/20/2018 - SAN JOSE VERDE MOBILEHOME PARK

Resident's Issue: Resident came for a walk-in to share new developments on their unlawful detainer case. Resident has retained an attorney with the Law Foundation to assist them in court.

Theresa Ramos
Rental Rights & Referrals Program
Analyst II, Policy and Special Projects



Memorandum

TO: HOUSING AND COMMUNITY
DEVELOPMENT COMMISSION

FROM: Kristen Clements

SUBJECT: SEE BELOW

DATE: January 10, 2019

Approved

Date

**SUBJECT: TENANT PREFERENCE FOR ANTI-DISPLACEMENT – DRAFT
DEFINITION OF POPULATION**

RECOMMENDATION

Accept the report and offer feedback to staff on the definition of the population to be covered by City's forthcoming Anti-displacement Tenant Preference policy.

OUTCOME

Staff will obtain feedback from the Housing and Community Development Commission on a proposed methodology for defining the eligible population for an Anti-Displacement Tenant Preference. Staff will consider this feedback when drafting the policy for the public's and the City Council's consideration in 2019.

BACKGROUND

In March 2017, the City Council prioritized staff work to "Explore the development of policy that will allow a set-aside in affordable housing developments that prioritizes residents who are being displaced that live in low-income neighborhoods undergoing displacement and/or gentrification" as Priority number 19.

On October 12, 2017, the City's Housing and Community Development Commission (HCDC) and the public provided input on different vulnerable populations that should receive priority when applying for restricted affordable apartments – so-called "tenant preferences." On October 23, 2017, the City Council's Community and Economic Development Committee (CEDC) considered possible types of tenant preferences, and directed the City Attorney's Office to return to CEDC with an overview of the legal issues related to tenant preference policies in order to help narrow which ones to pursue.

On May 21, 2018, CEDC directed staff to draft the following tenant preference policies: anti-displacement; those who live or work in San José; and those displaced by disaster or other conditions.

Given the City Council's priorities, Housing Department staff has prioritized development of the Anti-displacement Tenant Preference first. This memorandum provides a potential methodology to define the population that would be eligible for the Anti-displacement Tenant Preference. It also defines how often the data would be updated.

ANALYSIS

The purpose of the Anti-displacement Tenant Preference is to give a higher priority to applications for restricted affordable apartments to low-income residents living in areas that are most at risk for displacement. Residents would be eligible for this preference if they live in certain San José low-income neighborhoods with defined boundaries that are undergoing extreme displacement pressure. The eligible areas would be determined periodically by analysis from the University of California at Berkeley and from Housing Department staff.

Staff has worked closely with the City Attorney's Office to develop a recommended methodology for this Tenant Preference, and desires Commissioners' feedback on the following topics.

1) To how many apartments should this preference apply?

To test the reasonableness and the legality of the draft policy, it is important to first understand how many affordable housing apartments the Anti-displacement Tenant Preference would apply to.

The main segment of restricted affordable apartments for which *any* tenant preference could apply are those that are publicly-subsidized, are newly-built or newly-rehabilitated apartments, and are accepting new tenants (either initially or upon unit turnover).¹ Affordable apartments that are created by the City's Inclusionary Housing Ordinance could also implement tenant preferences.² However, those that are created only by the City's Density Bonus Ordinance or by the City's issuance of Private Activity Bonds for affordable housing are not included in the draft policy, due to the limitations contained by those programs' authorizing language.

The number of eligible apartments also excludes Permanently Supportive Housing (PSH) apartments and Rapid Rehousing apartments for the homeless that are being funded by Measure

¹ It is possible that that a portion of the City's existing portfolio of approximately 19,000 affordable apartments could implement Tenant Preferences as part of a future change in business terms and/or financing structure. However, as the number of these units is not knowable, it is excluded here from analysis.

² Given that most rental developers have recently opted to pay the City's Inclusionary In-lieu Fee rather than develop affordable apartments, staff has not included any Inclusionary apartments in the apartment estimate.

A and/or City funds. These are excluded as the general population would not be eligible for these set-aside apartments. Excluding these set-asides, the *total* number of new restricted affordable apartments for the general public could be as many as 960 apartments over the next five years.

The question of how many apartments should be set aside for tenant preferences is in part a pragmatic question and also a legal one. Federal and California fair housing law requires housing programs to maximize housing choices for all kinds of people and avoid creating policies or laws that deny housing opportunities based upon a protected class. Protected classes include, among others, race, gender, and familial status. Thus, a tenant preference policy should be administered in a manner that promotes fair housing to avoid potential claims. For example, New York City requires a set aside of 50% of new units for their community preference policy, but currently faces a legal challenge claiming this policy promotes racial segregation by preventing individuals outside the community from access to housing. By contrast, San Francisco's Anti-Displacement Housing Preference, as of 2018, sets aside 40% of certain types of apartments. While there is no specific percentage that eliminates the risk of a fair housing challenge, legal scholars recommend that applying preferences to smaller portion of apartments may minimize legal vulnerability of running afoul of fair housing laws. It should be noted, that the Housing staff recommendation in San Francisco was 25% set-aside requirement because of fair housing concerns.

The below chart estimates the number of pipeline affordable apartments that could be set aside at different percentage levels. This analysis assumes a 30% set aside.

Percent of Units Set Aside for a Tenant Preference	Citywide Set-aside (Next 5 Years)	Set-aside by Building (Assume 100 apartments)
20%	192 apartments	20 apartments
30%	288 apartments	30 apartments
40%	384 apartments	40 apartments
50%	480 apartments	50 apartments
100%	960 apartments	

Using a lower percentage set-aside is one of several ways a city can minimize legal vulnerability for its tenant preferences policies. Staff recommends using a set-aside of 30% of the number of affordable apartments that are available to the general public.

2) To how many households should the Anti-displacement Tenant Preference apply?

The following sections propose ways to filter applicants for an Anti-displacement Tenant Preference. However, it is important to first consider how many people a preference could apply to so that the preference is neither too narrow or too broad in applicability to render it ineffective. While a broad scope may assist a larger, more diverse and representative population it may be less effective at achieving the stated objective of prioritizing residents most at risk of displacement.

What household income levels should determine eligibility for this preference?

To further define this population, it is important to understand how many households citywide are eligible for deed-restricted affordable housing. Generally, most restricted affordable housing is financed with Low Income Housing Tax Credits (Tax Credits). Apartments financed with Tax Credits have been traditionally restricted to households earning a maximum of 60% of Area Median Income (AMI), with individual apartments having their own assigned affordability levels. The 2018 changes to federal tax law, and California's according changes, now allow households earning up to 80% AMI with some conditions to occupy new Tax Credit-financed apartments. The change is not retroactive to existing Tax Credit-financed apartments. It is likely that San José will have a limited number of projects incorporating some 80% AMI apartments in the future. At the same time, many Tax Credit-financed apartments also require residents with lower AMIs than 60% AMI, such as 30%, 40% and 50% AMI.

However, for purposes of this analysis, staff has narrowed its definition of eligible households at or below 60% of AMI, as this is the broadest group that would likely be eligible for restricted affordable apartments. As a result, if affordable apartments are developed at a higher income level, potential residents of these apartments would not qualify for this preference.

Households in San José	Number	% of Citywide
Total Households	317,317	100%
Households at or below 60% AMI	117,561	37%
Households already in affordable housing	(19,902)	- 6%
Net Households at or below 60% AMI	97,659	30%

What types of geographies should be targeted?

In creating an Anti-displacement Tenant Preference, staff recommends that analysis from the University of California at Berkeley's (UCB) Urban Displacement Project be used as a foundation to define the areas of San José that are most vulnerable to displacement. UCB's work in this area is widely acknowledged as valid. The use of UCB's data is also consistent with San Francisco's use of UCB data for its Anti-displacement Tenant Preference. UCB researchers analyzed regional data on housing, income, and demographics to understand and predict where gentrification and urban displacement is happening or where it is likely to occur. The UCB analysis classifies census tracts in San José by income level and displacement type. See the chart on the following page.

UC Berkeley Displacement Typologies

Tract Income Level	UCB Displacement and Gentrification Typologies
1. Low-income ³	Not losing low-income households
2. Low-income	At-risk of Gentrification or Displacement
3. Low-income	Ongoing Gentrification/Displacement of Low-income Households
4. Moderate- to High-income	Advanced Gentrification (Moderate- to High-income)
5. Moderate- to High-income	Not Losing Low-income Households
6. Moderate- to High-income	At Risk of Exclusion
7. Moderate- to High-income	Ongoing Exclusion/Displacement of Low-Income Households
8. Moderate- to High-income	Advanced Exclusion

Low-income renters are scattered throughout the city, but low-income Census tracts that are “at risk of displacement” (Type #2 above) or that are experiencing “ongoing gentrification” (Type #3 above) indicate higher levels of resident vulnerability than other types. **See Attachment 1 and Attachment 2** for the UCB methodology and a map showing the distribution of San José’s displacement categories.

Staff recommends focusing on areas categorized by UCB as Type #3 (bolded above) – indicating census tracts experiencing “ongoing gentrification.” This grouping of census tracts contains approximately 29,687 households below 60% AMI. Growth Areas: To further narrow the number of households eligible for an Anti-displacement Tenant Preference to a reasonable number compared to the supply of eligible apartments, staff conducted additional analysis. Staff overlaid UCB Type #3 Census tracts with areas the City’s General Plan will most likely steer development to in the next 5-10 years.

Staff focused on Horizon 1 Urban Villages, Downtown, and North San José as potential development hot spots in the near-term. **See attachment 3 for a map of UCB Type #3 census tracts overlaid with Horizon 1 Urban Villages, Downtown and North San José.**

The table below summarizes the number of households that could be eligible and the unit-to-household ratio that could result under this preference policy. The overlay of UCB and General Plan areas would apply to approximately 5.7% of eligible households citywide and would result in a significantly lower ratio of 1:63.

³ UCB defines “low income” census tracts as having an average household income of 80% or below the area median income in 2015 (\$84,900 for a family of four). “Moderate to High” income tracts have average incomes above 80% of area median income. **For reference, see Attachment 4** for a list of affordability levels and corresponding occupations.

Filters	Units	Households	% of Citywide Households	Units/HH
Citywide eligible households - No Preference	960	97,659	30.8%	1:102
60% AMI, UCB LI (Ongoing Displacement) and Urban Village, Downtown, NSJ	288	18,230	5.7%	1:63
• 60% AMI, UCB LI Tracts, Horizon 1 Urban Villages	288	10,151	3.2%	1:35
• 60% AMI, UCB LI Tracts, Downtown	288	7,280	2.3%	1:25
• 60% AMI, UCB LI Tracts, NSJ	288	799	0.3%	1:3

3) Any feedback about conducting a staff assessment in three years?

City staff would plan to update its analysis of which areas are eligible for the Anti-displacement Tenant Preference every three years. Updates would use the most recent UCB data to identify in which areas the City's most vulnerable residents are living. Three-year intervals would provide more predictability than would more frequent updates. Three years is also likely to be the shortest interval in which data would change significantly.

After the first three years of the Anti-displacement Tenant Preference, staff would conduct a disparate impact analysis to determine if the policy is resulting in unintentional discrimination. A disparate impact analysis examines the collected racial data for all rental applicants and for successful applicants to ensure the preference is not unjustifiably favoring any particular racial or ethnic populations. Three years would allow sufficient time to collect enough data to conduct the analysis.

PUBLIC OUTREACH

The following section paraphrases comments provided by the public at the May 21, 2018, CEDC meeting. Some of these comments relate to the Anti-displacement Tenant Preference while others are broader:

- Create a preference that benefits people who had lived in San José but were recently displaced (1 to 5 years ago) so they can return to San José.
- Create a neighborhood preference with a two-mile radius around a new housing development to avoid legal challenges. If you used Quetzal Gardens as an example, that would cover the Mayfair and Little Portugal neighborhoods.
- Create a preference that includes households at a moderate-income level, not just extremely low- and very low-income levels, as residents earning higher amounts are still having difficulty affording rising rents.

January 10, 2019

Subject: Tenant Preference for Anti-Displacement – Draft Definition of Population

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- Set aside 50% of any new affordable housing for people who live in the neighborhood as New York City has done.
- In San Francisco, Oakland, and New York City, preference policies were created without community voice. San José should include the community in creating these preferences.
- We are creating tenant preferences at the right time so that San José does not become another San Francisco.
- A ‘live in San José’ preference is preferred as it helps local residents compete against renters from outside of San José.

In early 2019, the Housing Department will conduct additional stakeholder outreach with tenants, affordable housing owners and property managers, and policy organizations representing these and other constituencies. Staff welcomes suggestions on stakeholder outreach and timing.

EVALUATION AND FOLLOW-UP

The Housing Department plans to return to HCDC to seek feedback on the draft Anti-displacement Tenant Preference policy in March 2019 before bringing the draft to the City Council for consideration.

For questions, please contact me at (408) 535-8236.

/s/

Kristen Clements
Division Manager, Department of Housing

ATTACHMENTS:

- **Attachment 1** – UC Berkeley Urban Displacement Project Methodology
- **Attachment 2** – Map: UC Berkeley Urban Displacement Typologies in San José
- **Attachment 3** – Map: UC Berkeley On-going Displacement & San José Growth Areas
- **Attachment 4** – 2015 HCD Affordability Chart and List of Occupations

URBAN DISPLACEMENT

Gentrification and Displacement Census Tract Typologies

Regions defined as 9-county Bay Area, and the remaining counties are each their own region.

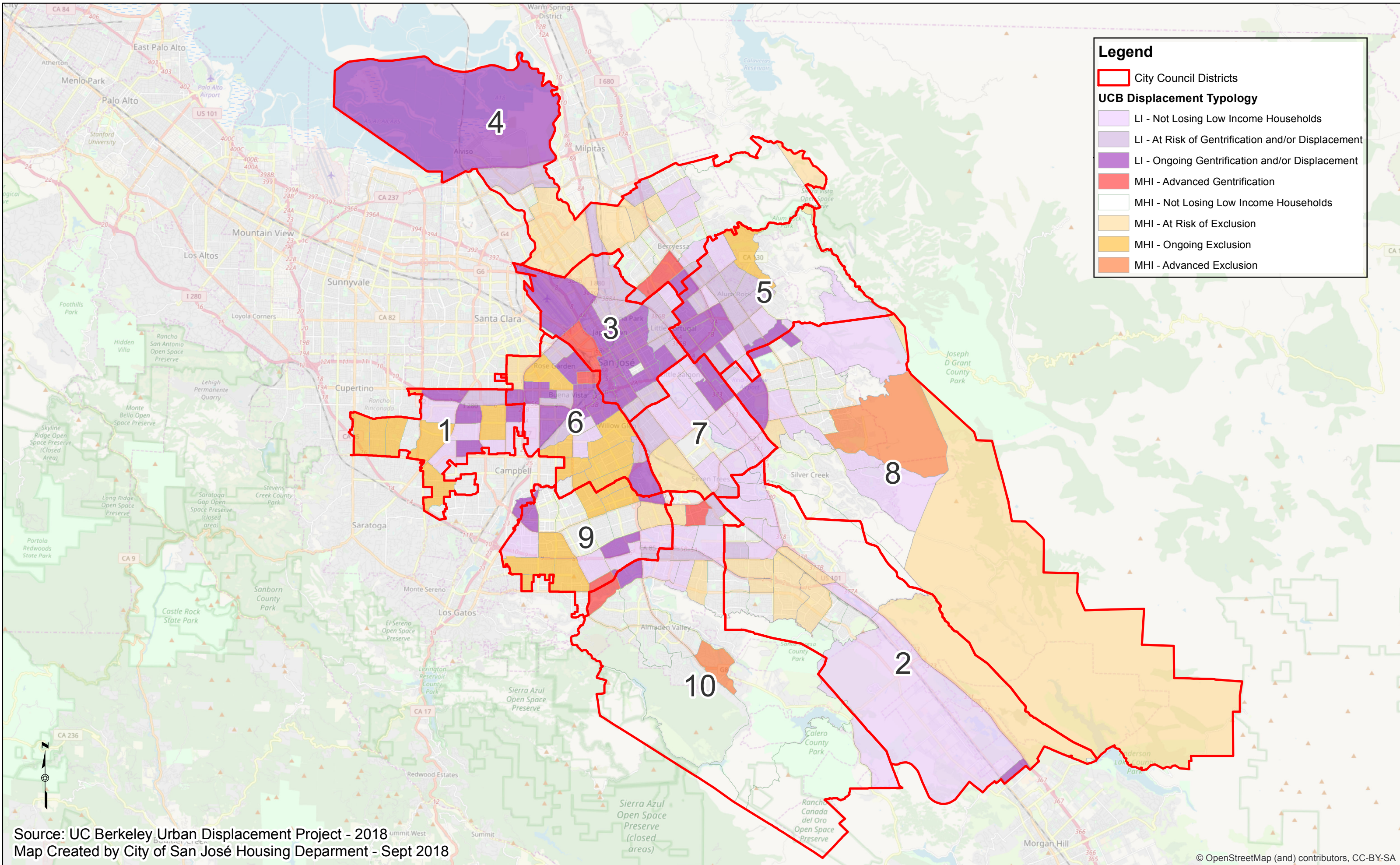
Typology	Typology Criteria
Not Losing Low-Income Households (Low Income)	<ul style="list-style-type: none"> • Pop in 2000 > 500 • Low Income Tract in 2015 • Not classified as At Risk of, Ongoing, or Advanced Gentrification
At Risk of Gentrification (Low Income)	<ul style="list-style-type: none"> • Pop in 2000 > 500 • Low Income Tract in 2015 • Vulnerable in 2000 (Defined in Appendix) • 2 out of the 4 of the following is true in 2015: <ul style="list-style-type: none"> ○ Has rail station in tract ○ % of units in pre-1950 buildings > regional median ○ Employment density (2014) > regional median ○ “Hot market” (options defined below table) • Not currently undergoing displacement or ongoing gentrification
Displacement of Low-Income Households/Ongoing Gentrification (Low Income)	<ul style="list-style-type: none"> • Pop in 2000 > 500 • Low Income Tract in 2015 • Vulnerable in 2000 (Defined in Appendix) • Population stable or growing 2000-2015 • Loss of LI households 2000-2015 (absolute loss) • Either: <ul style="list-style-type: none"> ○ “Hot market” (Defined in Appendix) ○ LI migration rate (percent of all migration to tract that was LI) in 2015 < in 2009 – Or – • Low Income Tract in 2015 • Gentrified in 1990-2000 or 2000-2015 (Defined in Appendix)
Advanced Gentrification (Moderate to High Income)	<ul style="list-style-type: none"> • Pop in 2000 > 500 • Moderate to High Income Tract in 2015 • Gentrified in 1990-2000 or 2000-2015 (Defined in Appendix)
Not Losing Low-Income Households (Moderate to High Income)	<ul style="list-style-type: none"> • Pop in 2000 > 500 • Moderate to High Income Tract in 2015 • Not classified as At Risk of, Ongoing, or Advanced Exclusion
At Risk of Exclusion (Moderate to High Income)	<ul style="list-style-type: none"> • Pop in 2000 > 500 • Moderate to High Income Tract in 2015 • 2 out of the 4 of the following is true in 2015: <ul style="list-style-type: none"> ○ Has rail station in tract ○ % of units in prewar buildings (1950) > regional median ○ Employment density > regional median ○ “Hot market” (options defined below table) • Not currently undergoing exclusion – none of the below classifications are met

URBAN DISPLACEMENT

Displacement of Low-Income Households - Ongoing Exclusion (Moderate to High Income)	<ul style="list-style-type: none"> • Pop in 2000 > 500 • Moderate to High Income Tract in 2015 • Population stable or growing 2000-2015 • Loss of LI households 2000-2015 (absolute loss) • Either: <ul style="list-style-type: none"> ○ “Hot market” (options defined below table) ○ LI migration rate (percent of all migration to tract that was LI) in 2015 < in 2009
Advanced Exclusion (Moderate to High Income)	<ul style="list-style-type: none"> • Pop in 2000 > 500 • Moderate to High Income Tract in 2015 • <20% LI in 2000 and % LI in 2015 < % LI in 2000 • LI migration < regional median in 2015

Appendix

- **Vulnerable to gentrification in 1990 or 2000 (at least 3 out of 4 of the following indicators):**
 - % low income households > regional median
 - % college educated < regional median
 - % renters > regional median
 - % nonwhite > regional median
- **“Hot Market” in 2000 or 2015**
 - Change in median real rent > regional median
 - or*
 - Change in median value for owner-occupied homes > regional median
- **Gentrification from 1990 to 2000 or 2000 to 2015**
 - Vulnerable in base year (as defined above)
 - Demographic change between base and end years (at least 2 of 3 occurring):
 - Growth in % college educated > regional median
 - Growth in real median household income (percent change) > regional median
 - Lost low-income households
 - LI migration rate (percent of all migration to tract that was LI) in 2015 < in 2009 (only used for 2000-2015 time frame)
 - “Hot market” (defined above)
- If any individual variable is missing, then the whole typology is missing.
- Tracts with a coefficient of variation > 15% on several key 2015 variables are flagged and determined unreliable:
 - Population
 - Housing units
 - Median rent
 - Median home value
 - Median income
 - College count
 - Renter count





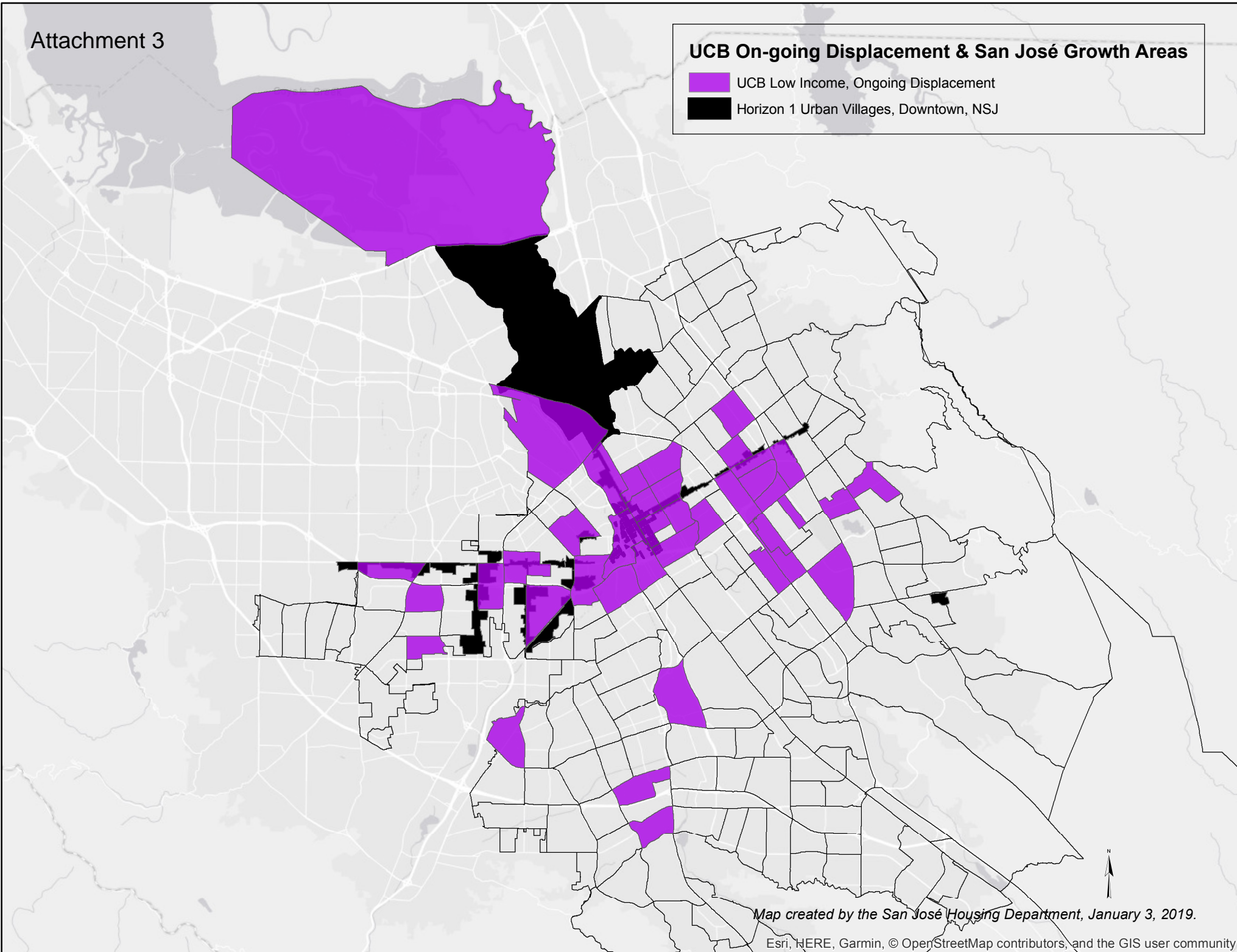
Legend

- City Council Districts
- UCB Displacement Typology**
- LI - Not Losing Low Income Households
- LI - At Risk of Gentrification and/or Displacement
- LI - Ongoing Gentrification and/or Displacement
- MHI - Advanced Gentrification
- MHI - Not Losing Low Income Households
- MHI - At Risk of Exclusion
- MHI - Ongoing Exclusion
- MHI - Advanced Exclusion

Source: UC Berkeley Urban Displacement Project - 2018
 Map Created by City of San José Housing Department - Sept 2018

UCB On-going Displacement & San José Growth Areas

-  UCB Low Income, Ongoing Displacement
-  Horizon 1 Urban Villages, Downtown, NSJ



Map created by the San José Housing Department, January 3, 2019.

Attachment 4: 2018 Santa Clara County Income Limits

	AMI	1 Person	2 Persons	3 Persons	4 Persons	Occupations
Extremely Low Income	0-29% AMI	\$ 27,950	\$ 31,950	\$ 35,950	\$ 39,900	Fast food cooks, Cashiers,
Very Low Income	31-50% AMI	\$ 46,550	\$ 53,200	\$ 59,850	\$ 66,500	Paramedics, Construction workers
Low Income	51-80% AMI	\$ 66,150	\$ 75,600	\$ 94,450	\$ 94,450	Nurses
Moderate Income	81-120% AMI	\$ 105,200	\$ 120,200	\$ 135,250	\$ 150,250	Teachers, Firefighters, Police

Source:

Incomes from HCD 2018 Income Limits for Santa Clara County

Occupations data from June 2018 OES Survey from EDD for San Jose, Sunnyvale, Santa Clara MSA



Prioritization For Tenants of Affordable Housing

**Housing and Community
Development Commission**

January 17, 2019





What is a Tenant Preference?

- Types of residents that receive priority in applying for affordable apartments
- Person may be eligible for more than one preference
- Building and/or apartment may have more than one preference
- *Focusing only on establishing City-wide policies*



Anti-Displacement Preference

“Residents living in certain low-income neighborhoods with defined boundaries that are undergoing extreme displacement pressure, as determined by City staff analysis.”



Questions

- *How many affordable apartments should the Anti-Displacement tenant preference apply to?*
- *What population should be covered by this preference?*
- *How do we know if the preference is achieving its goal?*



How many apartments should it apply to?

Percent of Units Set Aside for a Tenant Preference	Citywide Set-aside (Next 5 Years)	Set-aside by Building (Assume 100 apartments)
20%	192 apartments	20 apartments
30%	288 apartments	30 apartments
40%	384 apartments	40 apartments
50%	480 apartments	50 apartments
100%	960 apartments	

What population should be covered?

- Very-low and Extremely-low income renters

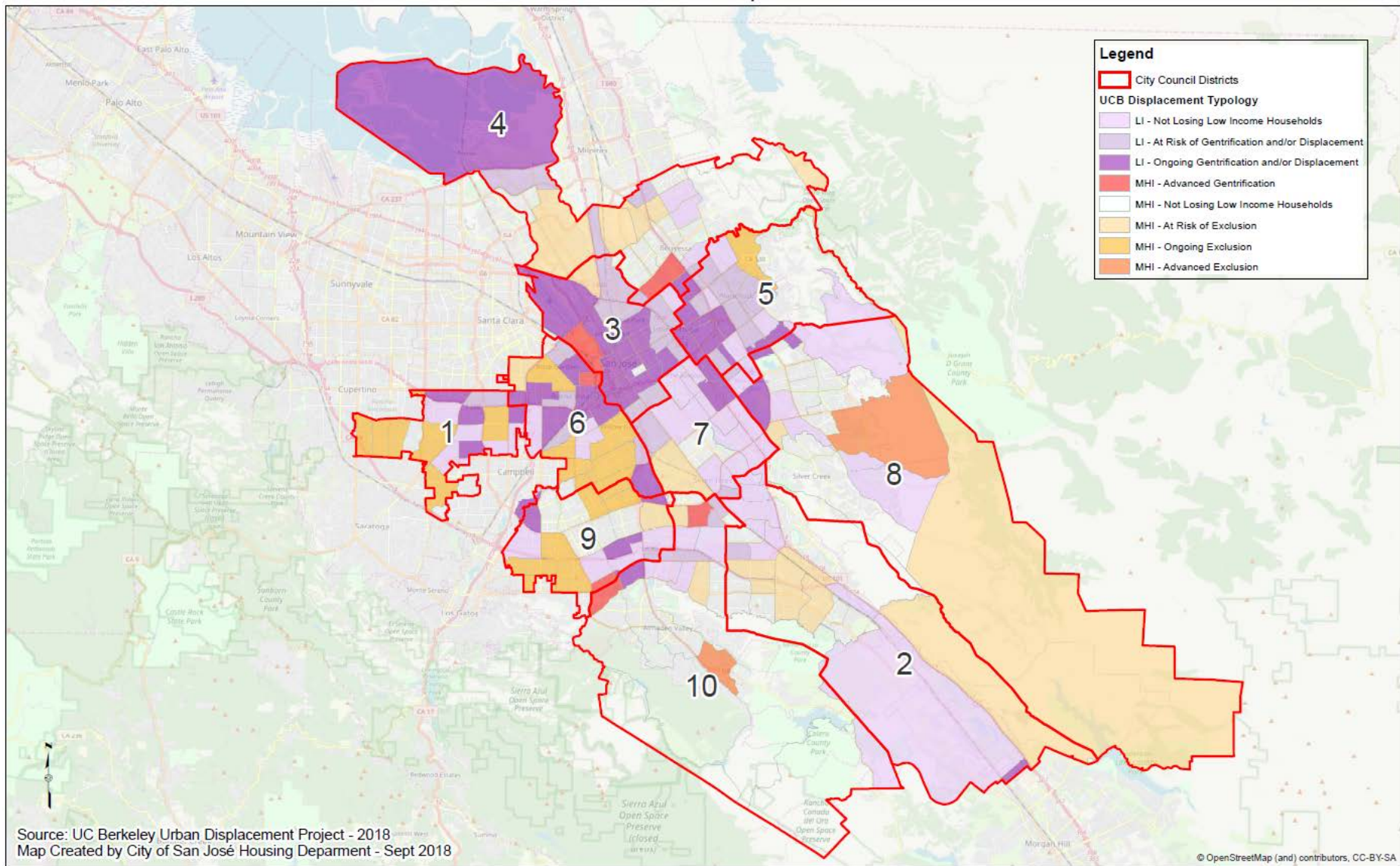
	AMI	1 Person	2 Persons	3 Persons	4 Persons	Occupations
Extremely Low Income	0-29% AMI	\$ 27,950	\$ 31,950	\$ 35,950	\$ 39,900	Fast food cooks, retail salesperson
Very Low Income	31-50% AMI	\$ 46,550	\$ 53,200	\$ 59,850	\$ 66,500	EMT, Construction workers
Low Income	51-80% AMI	\$ 66,150	\$ 75,600	\$ 94,450	\$ 94,450	Electricians, Carpenters
Moderate Income	81-120% AMI	\$ 105,200	\$ 120,200	\$ 135,250	\$ 150,250	Teachers, Firefighters, Police

Source: Incomes from HCD 2018 Income Limits for Santa Clara County. Occupations data from June 2018 OES Survey from EDD for San Jose, Sunnyvale, Santa Clara MSA



What population should be covered?

Households in San José	Number	% of Citywide
Total Households	317,317	100%
Households at or below 60% AMI	117,561	37%
Households already in affordable housing	(19,902)	- 6%
Net Households at or below 60% AMI	97,659	30%



Legend



City Council Districts

UCB Displacement Typology



LI - Not Losing Low Income Households



LI - At Risk of Gentrification and/or Displacement



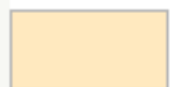
LI - Ongoing Gentrification and/or Displacement



MHI - Advanced Gentrification



MHI - Not Losing Low Income Households



MHI - At Risk of Exclusion





MHI - Ongoing Exclusion

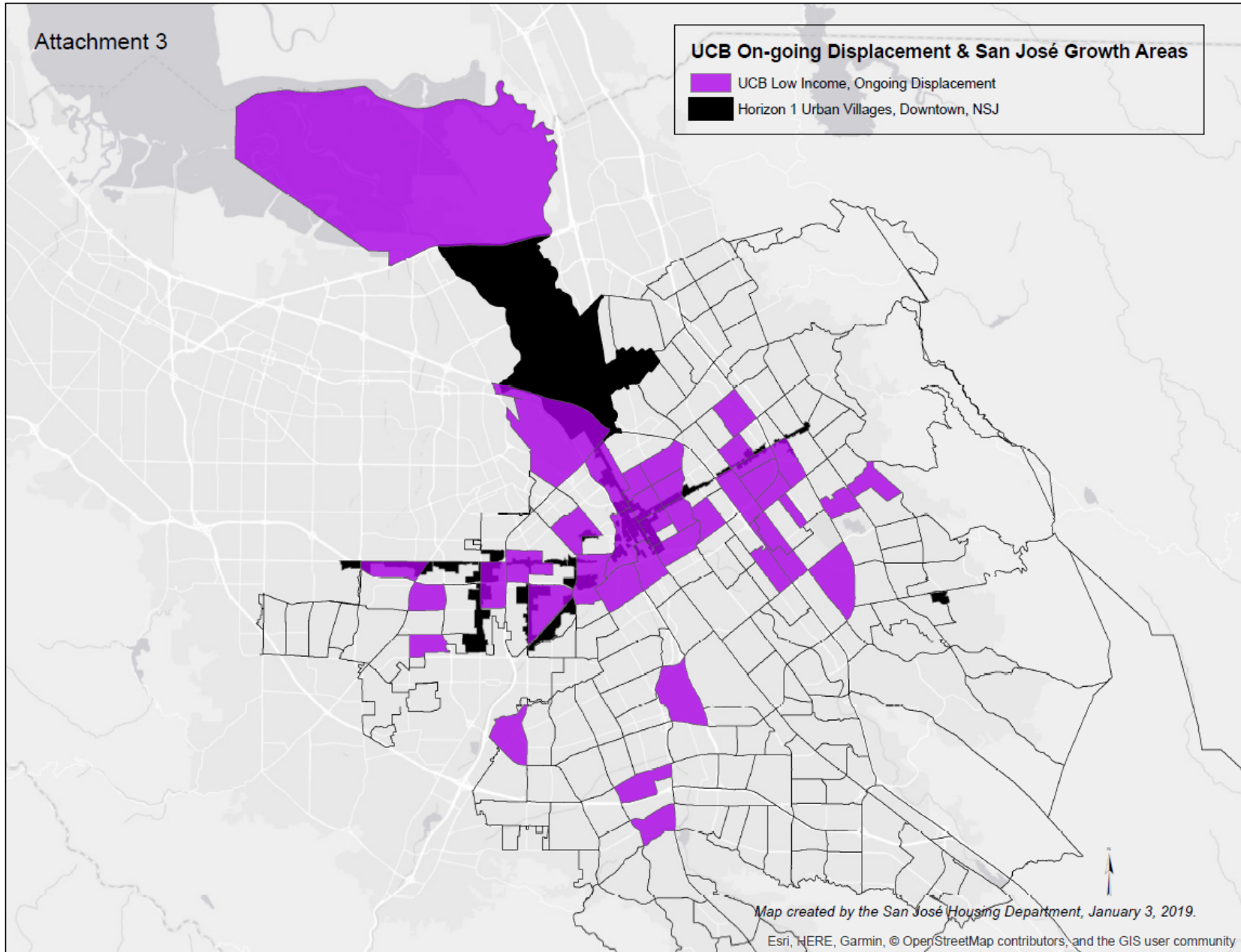


MHI - Advanced Exclusion



UCB On-going Displacement & San José Growth Areas

-  UCB Low Income, Ongoing Displacement
-  Horizon 1 Urban Villages, Downtown, NSJ

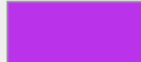



Map created by the San José Housing Department, January 3, 2019.

Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community



UCB On-going Displacement & San José Growth Areas

-  UCB Low Income, Ongoing Displacement
-  Horizon 1 Urban Villages, Downtown, NSJ

Is the preference achieving its purpose?

Filters	Units	Households	% of Citywide Households	Units /HH
Citywide eligible households (No Preference)	960	97,659	30.8%	1:102
60% AMI, UCB LI (Ongoing Displacement) and Urban Village, Downtown, NSJ	288	18,230	5.7%	1:63
• 60% AMI, UCB LI Tracts, Horizon 1 Urban Villages	288	10,151	3.2%	1:35
• 60% AMI, UCB LI Tracts, Downtown	288	7,280	2.3%	1:25
• 60% AMI, UCB LI Tracts, NSJ	288	799	0.3%	1:3

Workplan

HCDC – Draft Definition of Population	January 17
Public meetings on draft policy and procedures	February
HCDC – Draft Policy and Procedures	March 14
Request City Council approval of draft policies	March 26

Recommendations

“Accept the report and offer feedback to staff on the definition of the population to be covered by City’s forthcoming Anti-displacement Tenant Preference policy.”

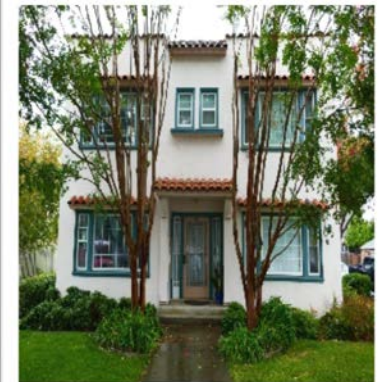
City of San José Housing Department

Rent Stabilization Program Quarter 1 & 2 Report for Apartments & Mobilehomes

January 17, 2019

HCDC Item VII-B

Fred Tran

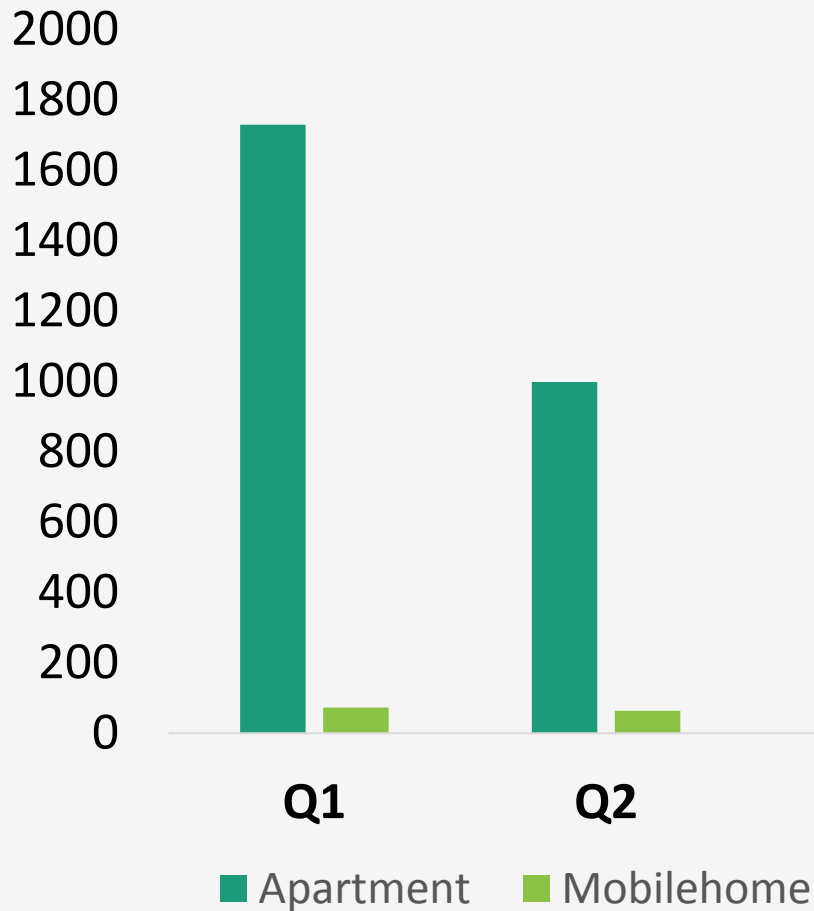


Apartment & Mobilehome Fee Structure

The City Council approved a fee structure for 2018-2019 for the Rent Stabilization Program as stated below:

- 1. Annual Apartment Rent Control Fee:** increase from \$55.80 to \$77.30 per unit.
- 2. Annual Apartment Non-Rent Control Fee:** increase from \$4.10 to \$6.20 per unit.
- 3. Annual Mobilehome Rent Control Fee:** decrease from \$34.10 to \$25.70 per unit.
- 4. Fees in connection with withdrawal of a building under the Ellis Act Ordinance:** increase from \$2,235 to \$2,258 per unit for up to ten units and increase from \$860 to \$872 per unit for over ten units.

Apartments & Mobilehomes: Summary of Calls



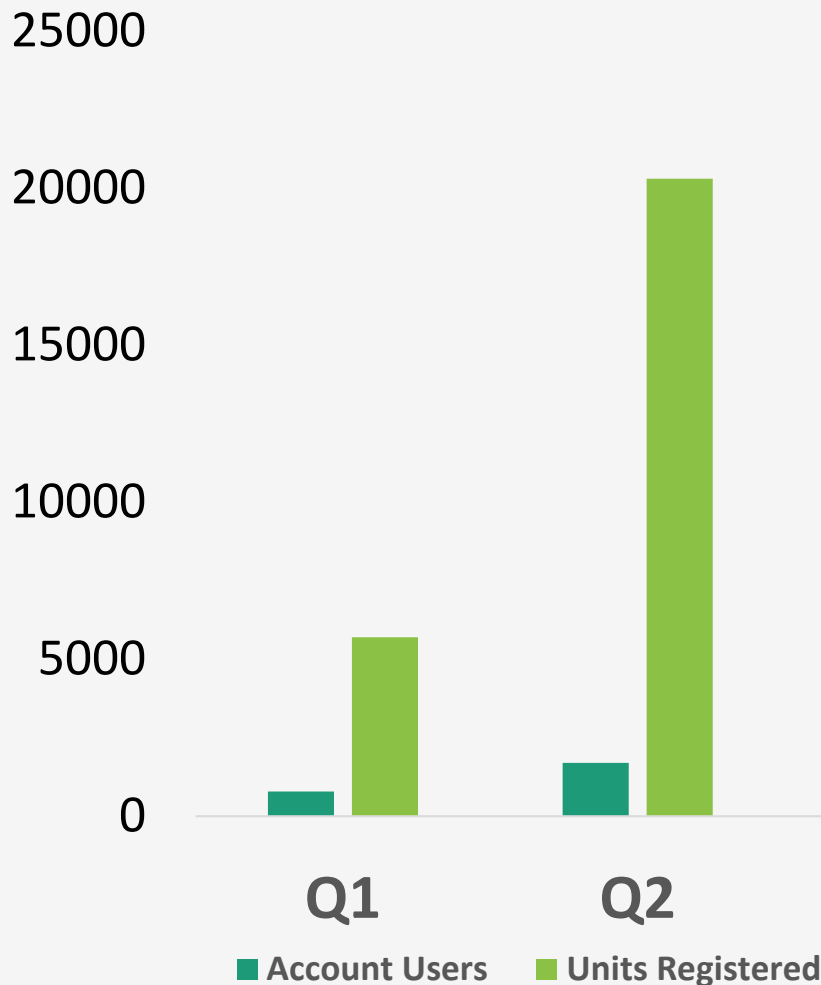
Apartments

- Quarter 1: 1729
- Quarter 2: 998

Mobilehomes

- Quarter 1: 73
- Quarter 2: 64

Apartments - Rent Registry Running Total Users & Units Registered



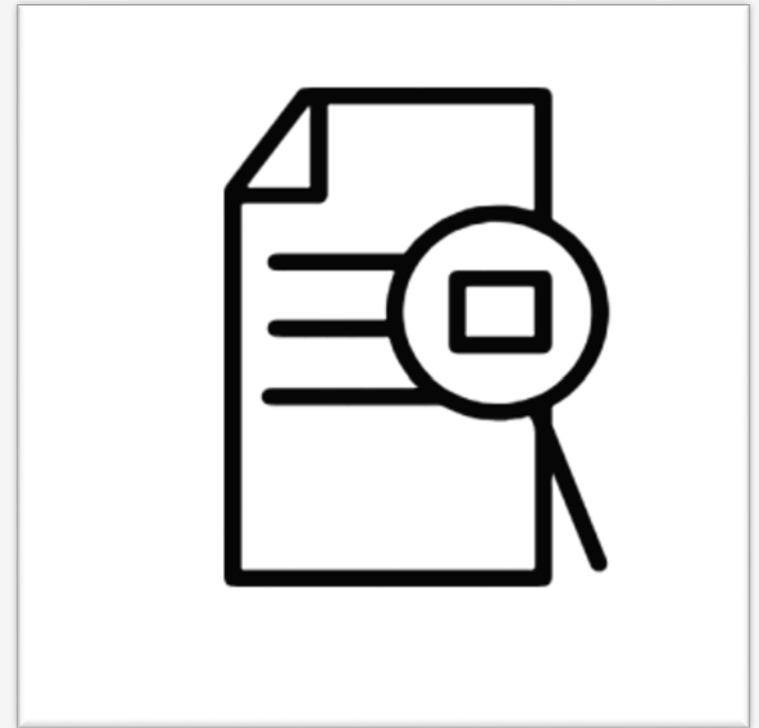
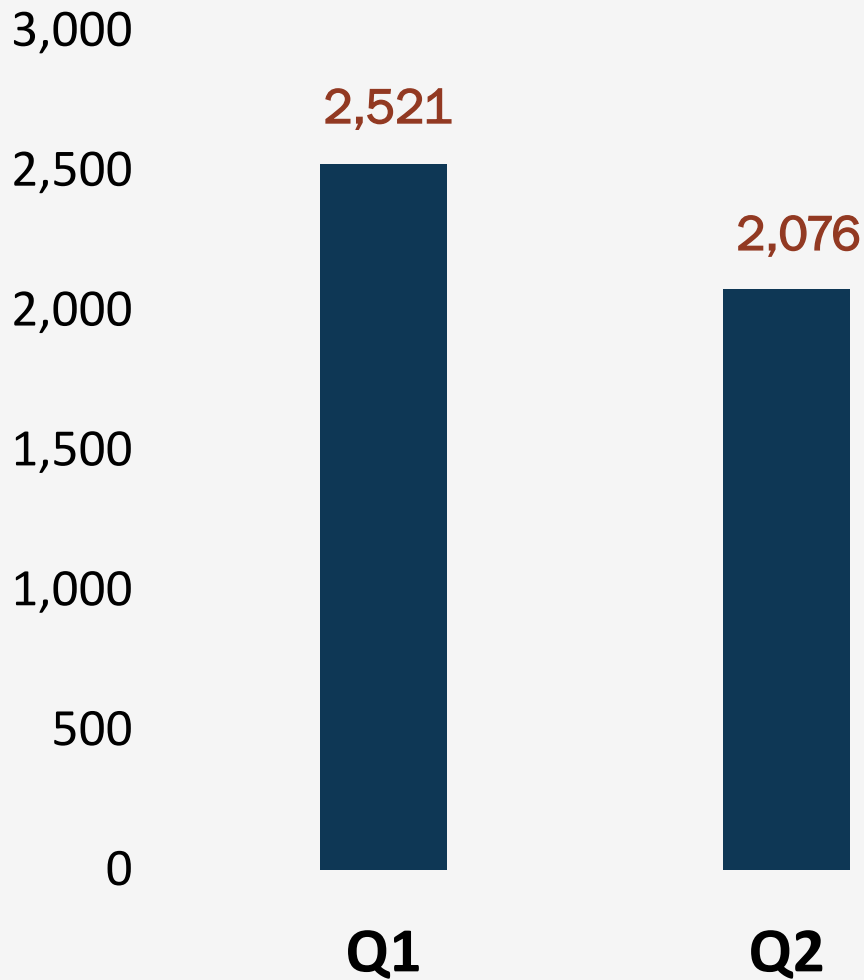
Quarter 1

- 787 account users
- 5,700 units registered

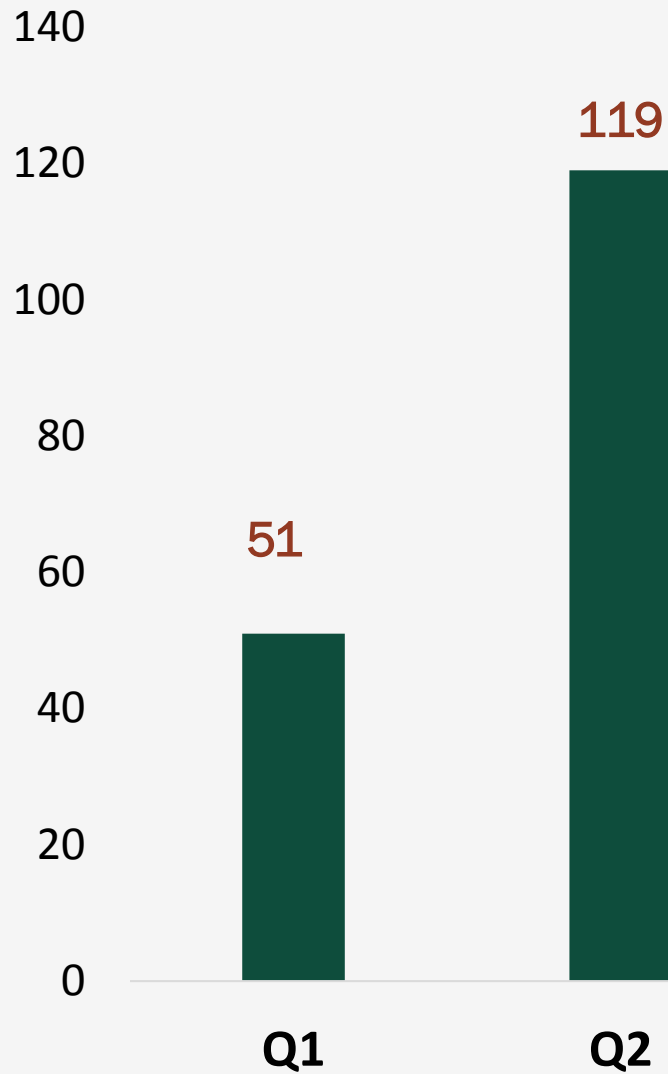
Quarter 2

- 1,696 account users
- 20,300 units registered

Apartments - Notices Received



Apartments - Petitions Filed



Mobilehome - Inquiries

a) State Code Issues (health and safety concerns)

b) Resident's Rights

c) Eviction Notices

d) Referral Advice





Mobilehome Inquiries – Quarter 1

- **Mayfair Trailer Park**
 - Utility and electric box safety
 - Staff conducted site visit & spoke with Manager.
Referred to HCD.
- **Triangle Trailer Park**
 - Health and safety concerns.
 - Staff completed site visit & spoke with Manager.
Referred to HCD.
- **Lamplighter Mobilehome Park**
 - Intermittent utility shut off concerns.
 - Staff conducted site visit & spoke to Park manager.
Referred to HCD.
- **Bella Rosa Mobile Lodge**
 - Alleged rent increase.
 - Staff reviewed increase – exempt from 3% increase.
- **Ace Trailer**
 - Increase of rent & return of deposit
 - Staff conducted site visit. Park staff sent the security deposit & reissued check at correct address.
- **Winchester Ranch Mobilehome Park**
 - Health and safety code violation.
 - Staff provided referral services.



Mobilehome Inquiries – Quarter 2

- **San Jose Verde Mobilehome Park**
 - Utility overcharge.
 - Staff reviewed invoices & sent letter to park owner.
- **Ace Trailer Inn Village**
 - Security deposit dispute.
 - Staff provided Small Claims referral services.
- **Colonial Mobile Manor Mobilehome Park**
 - Staff mailed a Hearing Officer's new decision with a rent increase (\$45.06).
 - Concerns about new decision were referred to residents' representative.
- **Old Orchard Mobilehome Park**
 - Claims of harassment from new park management.
 - Staff provided legal referral services.
- **Winchester Mobilehome Park & River Glen Mobilehome Park**
 - Electrical issues & increased utility charges.
 - Staff contacted owner & referred residents to legal services.
- **Mayfair Mobilehome Park**
 - Electrical issues & increased utility charges.
 - Staff contacted owner & referred residents to legal services



Mobilehome - Program Notices

- **October 1, 2018: staff mailed out the Mobilehome Fee Exemption Request Form to all park owners & management.**
 - The deadline to file an exemption was November 2, 2018.
- **November 27, 2018: RSP staff generated Mobilehome Fee Exemption Invoices & mailed out notices on to park owners.**
 - The Mobilehome Fees decreased from \$34.10 to \$25.70 of which the Mobilehome Rent Ordinance allows one-half (\$12.85) of the fee to be passed to park residents.
- **December 1, 2018: RSP staff mailed out the Mobilehome Annual Notice to Prospective Buyers to park owners & management for park resident distribution**



Mobilehome - Research Project



California Department of Housing and Community Development (HCD) conducting a data research project on Mobilehome

- Staff from CivicSpark Fellow is reviewing HCD's database and surveys.
- Workplan: Conduct an assessment of services, violations, and complaints in HCD's database combined with demographic of local residents .
- Goal: Identify where further research is necessary and develop tools to improve the relationship between HCD, residences, and the City.

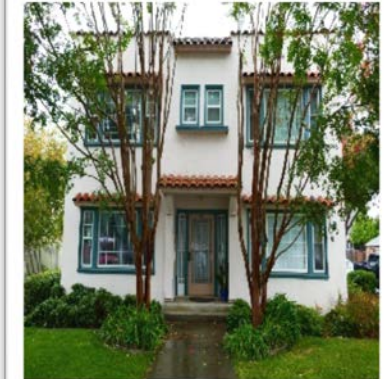
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Substantial Amendment to the FY 2017-2018 Annual Action Plan

January 17, 2019

Housing & Community Development Commission

Proposed Substantial Amendment

- Previous rapid rehousing funds were not expended during FY17-18.
- Shelter and Outreach Cap maxed at 60%.
- Add homeless prevention as a new activity to be funded and supplement existing contract.
- This change allows flexibility to expend all FY 2017-2018 ESG funding.

FY17-18 ESG Allocation

ESG Allocations by Component

- Outreach = \$260,000
- Shelter = \$76,550
- Rapid Rehousing = ~~\$363,450~~ \$238,286
- **Homeless Prevention: \$124,764**
- Administration = \$55,729
- Total: \$755,329

Next Steps

- City Council action – February 12, 2019
 - Hold a public hearing
 - Approve Substantial Amendment
- Submit Amended Annual Action Plan to HUD
 - February 2019