

GOLDEN STATE MANUFACTURED - HOME OWNERS
LEAGUE



GSMOL Region Manager Region 1 Zone A-1

January 30, 2021

TO: Mayor and Council

FROM: Martha O'Connell, GSMOL Regional Manager

RE: **CC 2-2-21 Item 8.2:** Support Rent Increase Freeze as Emergency Ordinance

As the Zone A-1 Regional Manager for GSMOL, the jurisdiction of which includes San Jose, I urge you to approve the targeted Rent Increase Freeze as an Emergency Ordinance. GSMOL, Golden State Manufactured Homeowners League, represents Mobilehome Park residents who reside in one of the last bastions of affordable housing.

The compromise incorporated into the staff recommendation helps protect the 98% of mobilehome owners who are current in their rent while offering help to the 2% that are not. This compromise will help lessen the chances of the 100% being hit with large rent increases following a "petition for fair return - PFR" hearing. Such PFR raises are not subject to any freeze and are in addition to the annual raise approved by the City.

First do no harm.

Avoid the terrible unintended consequences of a non-targeted rent freeze.

Because this item was previously addressed in correspondence as Item 8.3 CC 1-26-21, I attach those emails noticed now as Item 8.2 CC 2-2-21.

San Jose GSMOL chapters across the City support this issue:

President Glenna Howcroft, GSMOL Chapter 0018/0018A
President Gary Smith, GSMOL Chapter 1280
President Wallace Owens, GSMOL Chapter 0890 -
President Maria Munoz, GSMOL Chapter u714

Ryan Jasinsky/Martha O'Connell compromise proposal.

January 25, 2021

Dear Mayor Liccardo, Vice Mayor Jones and City Council members:

RE: Item 8.3 City Council Meeting 1-26-2021

On behalf of GSMOL Super Chapter 0018/0018A I support the Jasinsky/ O'Connell proposal, Item 8.3 City Council meeting January 26, 2021. It is a sensible approach to a complicated and life impacting problem.

Sincerely,

A solid black rectangular box redacting the signature of the sender.

Glenna Howcroft

Golden State Manufactured Homeowners League

Super Chapter President #0018/0018A

Item 8.3 San Jose City Council Meeting Jan 26,2021

GARY SMITH [REDACTED]

Mon 1/25/2021 4:57 PM

To: Agendadesk <Agendadesk@sanjoseca.gov>; Martha O'Connell [REDACTED]

[External Email]

ON BEHALF OF GSMOL CHAPTER 1280 (MILLPOND MHP) I SUPPORT THE
JASINSKY/O'CONNELL PROPOSAL.

GARY C.SMITH
ASSOCIATE ZONE MANAGER
and President, Millpond MHP Chapter GSMOL

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Jasinsky/O'Connell proposal

Wally Jay [REDACTED]

Tue 1/26/2021 8:12 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>; Martha O'Connell [REDACTED]

[External Email]

On behalf of GSMOL Chapter 890 I support the Jasinsky/O'Connell proposal.
This is item 8.3 of City Council meeting January 26, 2021.

Sincerely,

Wallace Owens
President Chapter 890
Quail Hollow Mobilehome

Community

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Item 8.3 January 26th meeting

María Munoz [REDACTED]

Tue 1/26/2021 10:57 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

[External Email]

On behalf of GSMOL Chapter U714. I support the Jasinsky/ O'Connell proposal. Item 8.3 City Council meeting January 26, 2021.

Thank you,

**María Munoz
Chapter U714 president**

Sent from my iPhone

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

January 24, 2021

Dear Mayor Liccardo, Vice Mayor Jones and City Council members:

RE: Item 8.3 City Council Meeting 1/26/2021

Ryan Jasinsky represents the Mobilehome Landlords and Martha O'Connell represents the Mobilehome Tenants on the Housing and Community Development Commission (HCDC). The opinions in this letter are that of Ryan Jasinsky and Martha O'Connell and do not represent that of HCDC.

On April 28, 2020, the City of San Jose adopted a Rent Increase Moratorium that effectively froze Mobilehome Park Owners from increasing rents until December 31, 2020. Martha and I originally assisted in creating language to support the adoption of this proposal in the spirit of providing relief to Mobilehome Owners during the COVID-19 pandemic while also preserving Mobilehome Park Community anniversary dates.

While we understand Councilmember Esparza's interest in extending the adoption of the Rent Increase Freeze, we believe a more targeted approach to assist Mobilehome Owners in need is a fairer and more appropriate response. Throughout the pandemic Mobilehome Park Owners have been working closely with their Mobilehome Owners who have been financially impacted by COVID-19 to provide relief either through rent increase freezes or rent deferrals. This collaborative effort and communication between Park Owners and Mobilehome Owners provided direct financial relief to those who need it and has offered security during uncertain times.

Creating a program that provides targeted relief to Mobilehome Owners who are financially impacted by COVID-19 will continue to protect those that are most vulnerable, while also allowing Park Owners to maintain their operations. This also continues to preserve community anniversary dates which provide predictability for all mobilehome communities. Per GSMOL Corporate Attorney Bruce Stanton's letter to the City Council on April 24, 2020, "Park Owners internal accounting systems and cash flows are based upon the anniversary cycles which they have been used to for many years. Changing those dates could potentially expose the City to objections and challenges from all of the City's park owners. Homeowners representatives agree that those dates should **not** need to change."

Below is our proposal for a targeted rent increase freeze.


- We suggest providing a rent increase freeze for Mobilehome Owners who report being financially impacted due to COVID-19.
- If a Mobilehome Owner is currently financially impacted by COVID-19, by law they are required to complete and return a Declaration of COVID-19 Related Financial Distress form indicating they are unable to pay rent and other financial obligations and sign the form under penalty of perjury. Park Owners or Operators must provide this notice to any Mobilehome Owner indicating that they have been financially-impacted by COVID-19.
- If the Mobilehome Owner is currently enrolled or enrolls in the COVID-19 Financial Distress Program, they will receive a rent increase credit until the end of the state of emergency connected to the pandemic as declared by county, State or federal government(s).


- Mobilehome parks have a fixed rent increase anniversary date, which are typically outlined in the lease agreement. The State requires that mobilehome park management provide a Homeowner with a 90-day written notice before the effective date of an increase (Mobilehome Residency Law 798.30)
 - *For example, if Community A has a rent anniversary date of July 1, then on that date all the residents of Community A may receive a rent increase. However, before this can happen, in accordance with state law, management is required to send a notice of the rent increase to the residents before April 1.*
- We recommend allowing Park Owners to notify their financially impacted COVID-19 Mobilehome Owners of their annual increase in order to maintain that fixed anniversary date.
- Instead of initiating the increase upon the anniversary date, financially impacted COVID-19 Homeowners will have the increase applied and credited to the Homeowners account on the same monthly bill.
 - *For instance, if there is an increase of \$30 there will be a credit on the Homeowner's account of \$30. The net effect will equal zero.*

We want to continue to work with the City to create solutions and protections for those that have been financially impacted by COVID-19 while also ensuring that our mobilehome communities are still maintained to a high standard.

Thank you for your consideration.

Sincerely,


Ryan Jasinsky
Brandenburg, Staedler & Moore
Director of Property Management


Martha O'Connell
GSMOL
Golden State Manufactured Homeowners
League -Regional Manager

Proposed Rent Freeze

don murdoch [REDACTED]

Sun 1/31/2021 1:31 PM

To: Agendadesk <Agendadesk@sanjoseca.gov>; Martha O'Connell [REDACTED] >; don murdoch [REDACTED]

[External Email]

TO: City Council

FROM: Don Murdoch

CC 2-2-21

Item 8.2

I am a Resident of Colonial Mobil Manor [REDACTED] and I have a concern I want to raise.

On 8-12-16 the San Jose Mercury reported “In a decision cheered by affordable-housing advocates, a petition by the Colonial Mobile Manor park owner to raise the rent above what is allowed in the city’s Mobilehome Rent Ordinance has been denied.”

[San Jose mobile park residents celebrating victory after hearing officer rules against space rent increase – The Mercury News](#)

The article went on to say, “The decision in the case, **which had drawn attention from the City Council**, comes at a time when the skyrocketing cost in the rental market is one of Silicon Valley’s hot-button issues.”

That was 2016. The Park owner appealed that decision in Superior Court and FOUR YEARS LATER he got his blood money: an additional \$45.06 per month plus the 3% allowed by the City. He had already gotten an additional \$46.30 plus the 3% in an earlier Petition for Fair Return (PFR). Peter Wang, the owner of Colonial Manor, was the first Park owner in the history of San Jose to file back to back PFRs, first in 2012 and then again in 2013.

The low to moderate income Seniors in this Park therefore got a total increase of \$91.36 per month, **plus** the 3%.

Protect Mobilehome Park residents: **vote yes on staff recommendation to accept the Jasinsky/O'Connell compromise to apply a rent increase freeze only for those impacted by Covid.**

Mobilehome Park residents do not need to suffer the same fate as those in Colonial Mobile Manor.

Thank you for your attention Don Murdoch.

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

City Council Item 8.2 Feb. 2, 2021

Glenna Howcroft <[REDACTED]>

Sun 1/31/2021 3:58 PM

To: Agendadesk <Agendadesk@sanjoseca.gov>; District7 <District7@sanjoseca.gov>

Cc: Martha O'Connell <[REDACTED]>; Glenna Howcroft <[REDACTED]>

[External Email]

The majority of residents in my low-income park are immigrants. Many of them speak little to no English and many cannot read English. They have no money to hire an Attorney and expert witnesses to plead their cases in court against a Park Owner's Petition For Fair Return.

Therefore I am pleading with you to vote "YES" on the staff recommendation, Item 8.2 CC 2-2-21 to provide relief against rent increases for only those residents financially affected by COVID-19.

Thank you for your attention to this matter.

Sincerely,
Glenna Howcroft
GSMOL Chapter President #0018

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Re: CC 2-2-21 Item 8.2: Support Rent Increase Freeze as Emergency Ordinance

Gela DePutter [REDACTED]

Sun 1/31/2021 8:22 PM

To: Agendadesk <Agendadesk@sanjoseca.gov>

[External Email]

To Mayor and Council:

As a mobile home resident for nearly 32 years, I am urging you to approve the targeted Rent Increase Freeze as an Emergency Ordinance. I understand that this is a compromise, only assisting mobile home owners who have been financially impacted during the pandemic.

I have always been current on my rent (receiving 3% increases each year), but many residents in the many mobile home parks throughout San Jose are not. We cannot predict when the pandemic will be under control and the economy restored. In the mean time, we must continue to help those in need and this rent increase freeze proposal will help.

What I don't want to see is Park Owners filing for Petition for Fair Return. While many mobile home owners/residents are, ***at best***, living from paycheck to paycheck, park owners are collecting rent dollars far exceeding their operating expenses.

The big picture in all of this is we must protect affordable housing and avoid increasing homelessness in the bay area.

San Jose: the 10 largest city in the United States, 3rd largest in California, the heart of Silicon Valley. We must protect all our residents.

Thank you.

Respectfully,

Gela DePutter
California Hawaiian Mobile Home Resident
San Jose, California

This message is from outside the City email system. Do not open links or attachments from untrusted sources.