

October 7, 2022

RE: MOBILEHOME FEE EXEMPTION REQUEST
DUE: NOVEMBER 7, 2022

Dear Park Owner or Manager,

The City of San José Mobilehome Rent Ordinance (Municipal Code Chapter 17.22) limits the allowable rent increases for space lots constructed with a permit issued prior to September 7, 1979. Your park contains covered units.

On an annual basis, a fee is charged on all covered space lots to allow the City's Rent Stabilization Program (RSP) to administer the Rent Control Ordinance. This year, park owners of covered space lots are required to pay a Mobilehome Rent Fee of **\$30.00** per space adopted by City Council in June 2022. The Mobilehome Rent Ordinance (Chapter 17.22.920) allows one-half of the fee (**\$15.00**) to be passed through to the resident of the space lot as an itemized charge on the rental statement as a separate line item from the base rent.

The Mobilehome Rent Ordinance allows park owners to request an annual fee exemption for the reasons described below. All exemption requests require a completed fee exemption request form (see enclosed document) and additional written documentation. A park owner claiming an exemption bears the burden of proof that the space lot is exempt (Chapter 17.22.390). Please refer to Chapter 17.22.1020 and Regulations 1.01.01 for determination of exemption eligibility and/or appeal.

Allowable Exemptions and Required Documentation

Park owners must ensure that the Rent Stabilization Program has all required documents on file in order to receive the exemption. If you have submitted documentation for any of these allowable exemptions to the Rent Stabilization Program previously, you are required to re-submit those documents again this year. Please contact Vanessa Pacheco at (408)535-3860 with questions. Refer to the list below:

1. Owner-Occupied (Chapter 17.22.270)

A mobilehome or space lot that is unavailable for rent because the park owner uses it for their personal residence (manager residence does not qualify). To fulfill the:

- Annual requirement, please provide a completed form with: 1) the space lot number; and 2) a dated proof of residency.

2. Government Owned, Operated, or Rent Subsidized (Chapter 17.22.360)

A mobilehome or space lot which is government agency owned, operated, or is rent subsidized pursuant to the Housing Assignment Payments Program (Pub. 93-383, Section 8, as amended). To fulfill the:

- Annual requirement, please provide a completed form with: 1) resident's name; 2) space lot

number; 3) the name and contact information of the government agency; and 4) a photocopy of each lease between the park owner and agency for each space lot.

3. Long Term Leases (LTL) (Chapter 17.22.370)

A mobilehome or space lot with a lease entered into on or after January 1, 1986 with a lease term in excess of 12 months that is voluntarily agreed upon, the mobilehome is owned by and resided in by the lessee, and the lease contains provisions informing the lessee that the lease is exempt from the Ordinance. The exemption applies only for the duration of the lease; therefore, the LTL must extend throughout the entire fee period. To fulfill the:

- Initial requirement for each lease, please submit a completed form with: 1) a photocopy of each entire lease for each exempted space lot (electronic format is acceptable). When a new lease is executed, a copy must be submitted. Also, if a lease is amended or extended, a copy of the extension or amendment must be submitted with the entire lease.
- Annual requirement, please provide a completed form with: 1) resident's name; 2) space lot number; 3) move-in date; 4) lease expiration date for each exempted space lot; and 5) a copy of each entire lease and all addendums.

4. Mobilehome Space Lots Permitted after September 7, 1979 (Chapter 17.22.350)

Space lots for which the initial plumbing, electrical, and sewer permits were issued after September 7, 1979 are exempt from the Ordinance. To fulfill the:

- One-time requirement, please submit a completed form with a copy of the initial permit showing date and space number for sewer, electrical, and plumbing for each space lot listed.
- Annual requirement, please provide a completed form with the space lot number.

All fee exemption requests must be received by the RSP on or before:

November 7, 2022 by 5:00pm

To confirm that your exemption request was received and for other inquiries, please contact **Vanessa Pacheco** at (408)535-3860 or email: vanessa.pacheco@sanjoseca.gov .

Mobilehome Fee Invoices will be mailed after the November 7, 2022 deadline. Payments are due within 30 days of the invoice date. Late payments shall be subject to penalty in accordance with the Mobilehome Rent Ordinance, Chapter 17.22.940. Park Owners shall maintain this information and provide it within 10 business days if required by the City.

Sincerely,



Emily Hislop
Division Manager, Housing Department
Rent Stabilization Program

Building Relationships in Rental Communities