

in mobile home rent law

By BUD O'BRIEN

If there are no legal roadblocks, it appears certain that Santa Cruz County will soon have a law regulating rents in mobile home parks in the unincorporated areas of the county.

The Board of Supervisors made it clear at the end of a public hearing on the matter Tuesday that such a law will be approved in some form. The board chambers were jammed with people, mostly elderly tenants of the mobile home parks, and more than a dozen parents testified on both sides of the issue of rent control.

Specifically at issue was a recommendation from the county's Mobile Home Advisory Commission that the board amend the county's existing "rental adjustment" ordinance for mobile home parks by giving it the teeth it now lacks. As it now stands, the ordinance sets up formulas for raising rents in the parks and procedures for appealing such rental raises. But there is no enforcement authority contained in the ordinance, so that if a park owner defies the recommendations that arise from the process, little can be done about it beyond applying public pressure.

Since that ordinance was passed two years ago, there have been many complaints that the spirit of the ordinance has been violated and that it has simply been ignored by many park owners. So the Mobile Home Advisory Commission held a series of hearings on the matter, the upshot of which was a recommended ordinance that, among other things, would place a tighter rein on the amount of annual rent increases a park owner could impose and gives the county the authority to enforce the law's provisions by making violations misdemeanors, punishable by a fine, a jail sentence or both.

Proponents of the rent control measure stressed the fact that the majority of mobile home owners are elderly people on fixed incomes and thus less able to withstand the financial pressures of rent increases. It was also pointed out that the mobile home population is in a unique situation in relation to renters of houses and apartments. Mobile home park

residents almost always own their own mobile homes but have no land on which to locate them, putting them "at the mercy" of owners of the mobile home parks.

In Santa Cruz County, the situation is compounded, almost everybody agreed, by the fact that there are not enough mobile home parks to meet the demand for space and the county's zoning regulations have forestalled the development of any new parks since 1972.

Spokesmen for mobile home park owners said they did not oppose "reasonable" controls over rental charges, but some of them complained that the proposed ordinance as drawn up would not allow them a "reasonable return" on their investment. Others said the ordinance would not accomplish the purpose it's designed for: protecting low-and-fixed-income residents. It was said those residents would be hard put to keep up with the increases allowed by the ordinance while more affluent residents, of which there are a considerable number, it was asserted, would benefit.

One mobile home park owner, John Watkins, suggested that some sort of subsidy be provided for the low-income seniors who live in mobile home parks.

He also pointed out that the rent that's paid to the park is often only a part of the housing cost of the mobile home owner. Many of them are making high mortgage payments to purchase their homes, he said, which is not addressed by the county law.

After all the testimony, each of the supervisors indicated support for some type of regulation of rents in mobile home parks. Even Pajaro Valley Supervisor E. Wayne Moore Jr., the most persistent advocate of private property rights and a "free market" approach on the board, agreed that the plight of mobile home park dwellers in the county requires some sort of government regulating.

Moore, however, stressed that he could only support a rental ordinance if it provided "equity" for the park owners and said he thought the real answer to the problem was to allow the development of more parks so the free

market system could begin to operate here.

Supervisor Dan Forbus, who noted he had consistently supported efforts to keep mobile home park rentals in line and was prepared to do so again, nevertheless expressed a belief that such laws are in some ways counterproductive. He said it appeared to him that to set up a formula for annual rental increases guarantees that such increases will be imposed, even by the parks that might not have otherwise been inclined to impose them, because the park owners would make certain they maintained a high enough "base" on which to figure the allowable increases.

Supervisors Robley Levy, Gary Patton and Joe Cucchiara, who generally support an activist role for government in such matters, left no doubt they would support the ordinance recommended by the advisory commission, provided it could pass legal muster. The board unanimously agreed to refer it to the county counsel's office for study and recommendations in three weeks.

Tuesday's meeting was the first full session the board has held since Dec. 15 and supervisors were up to their ears in postponed business. They finished the session shortly after 6 p.m., but delayed a considerable number of items until next week.

Among the other actions they took were:

—Approving an amended version of the county's Local Coastal Program (LCP) for resubmittal to the state Coastal Commission. By a 3-2 vote, with Moore and Forbus opposing, the board refused to change its recommendation that the 12-acre Punta La Selva site near La Selva Beach be kept in a rural residential category instead of, as the Coastal Commission and staff urged, put in a category that would allow visitor serving facilities. By the same vote, it also rejected the state commission's request that a 3-acre parcel of land on 17th Avenue near Portola in Live Oak be designated for commercial rather than low income housing use. Patton conceded, however, that if the state commission once again rejects the county's designation, it may have to be changed.

—Refused to postpone again a "discussion" of a controversial report on the county's building permit process that sprung out of Measure J, the growth management law approved by the voters in 1978. The report, by the Sacramento consulting firm of Connerly & Associates, was authorized by the board but commissioned and paid for by the building industry. It has been sharply criticized as factually slipshod and unprofessional. The consultants had asked for a chance to reply to the charges, but missed the first scheduled discussion and were unable to be present Tuesday as well.

REFERENCE

ARTS BRANCH
LIBRARY
1978 DEC 15
APR 1982