

Move to stiffen rent control law

By BUD O'BRIEN

There is a movement afoot to put more teeth into the law regulating rents in Santa Cruz County's mobile home parks.

As it stands now, that law, called a "rent stabilization" ordinance, compels mobile home park owners to follow certain procedures before they can raise tenants' rents and sets up certain "guidelines," but there is no ultimate enforcement authority. If park owners prove recalcitrant, the only recourse for tenants is the courts.

Since the passage of the existing ordinance in January of 1980, the effects of the law in the 80-odd mobile home parks in the county's unincorporated areas have been decidedly mixed, according to reports. Complaints have poured in from mobile park tenants, a large percentage of whom are senior citizens, that rents are being raised indiscriminately.

Under the terms of the ordinance, if a tenant believes the guidelines have been violated by the park

owner in rental adjustments, a complaint may be filed with the county's Mobile Home Advisory Commission. The commission then can hold a hearing and make "findings" regarding the matter, but these findings are "advisory" only in nature and may be, and often are, reports indicate, ignored by the mobile home park owner.

Complaints about such results prompted the Board of Supervisors, at the behest of Midcounty Supervisor Robley Levy, to instruct the Mobile Home Advisory Commission to give particular attention to "the enforcement issue" during the commission's scheduled review of the ordinance as a whole.

The commission began the review Thursday and, while it made recommendations for some changes in the ordinance, it put off for at least a month any decision on whether to recommend that "mandatory compliance" with the terms of the ordinance be instituted.

The seven-member commission did recommend on a 5-2 vote that the

method of calculating the amount of rental adjustments by park owners be changed. Under the existing ordinance, the key to rental raises allowed is the San Francisco Bay Area Consumer Price Index (CPI). Park owners are allowed to raise their rents in the amount of 75 percent of the growth of that index.

The commission agreed Thursday to alter the formula slightly by also factoring in the nationwide CPI, which traditionally grows at a less inflationary rate than the Bay Area index. This would tend to hold down the allowable rental raises. Frank Evans, who represents the park owners on the commission, and Izzy Sweet, appointee of First District Supervisor Dan Forbus on the commission, voted against the change.

The commission also voted not to change the "pass through" features of the ordinance. "Pass through" costs are those, such as taxes, sewage costs, etc., which the park owners are allowed to pass on to tenants. The ordinance restricts these pass through allowables to

costs of unmetered utilities and taxes.

In the course of their discussions, commissioners were told by spokesmen for mobile home park owners that various court decisions that had recently been handed down indicated that laws that do not allow park owners "a fair return on their capital investment" will be struck down.

But Commission Chairwoman Edith Brown said the commission should make its recommendations according to instructions by the Board of Supervisors and that the ultimate decision would rest with that board.

In the discussion concerning whether the ordinance should be made mandatory, and include provision for a fine in the event of non-compliance, there were indications that the vote would be close.

In any case, no vote will be taken on it until at least the next meeting of the commission in November, and that vote will be simply advisory.

The Board of Supervisors will make the final decision.