

Court ruling pending on mobile home rent case

A Superior Court judge will rule soon on a move by Aptos mobile home residents to overturn a rent increase they claim violates a county ordinance.

Superior Court Judge Donald O. May heard brief arguments last Thursday morning by opposing attorneys on a request for a restraining order that would block the owners of the Seaclyff Mobile Home Park from filing unlawful detainer complaints in Santa Cruz Municipal Court against owners of 69 of the park's mobile home owners for not paying an \$11.17 a month rent increase.

Park resident Richard Chinn, the retired Aptos fire chief, went to court on behalf of his neighbors, arguing that the rent increase, levied to to recover utility costs, vio-

lated a portion of the county's mobile home rent control ordinance. Chinn maintains the owners are collecting for utilities retroactively, for a period during which the rental agreement included utilities with the rent.

In court Thursday, attorney Paul Jensen, representing park owners Robert N. Anderson, Robert E. Anderson and William Whittingham, argues that May should allow him to file the unlawful detainer actions next week against the 111 residents that live in the 69 mobile homes.

Theoretically, the actions could lead to evictions of the park residents but Jensen told May that his clients were willing to promise that no one would be evicted, if the unlawful detainer actions were successful, so long as the back

rent was paid to the owners.

The unpaid rent, attorney James Rumble, representing Chinn, told the judge, has been deposited in a trust account and would be turned over to the park owners if they win.

Jensen, noting that delays are much shorter in Municipal Court cases than in Superior Court ones and that the unpaid rent is accumulating at the rate of \$670 a month in the trust account, argued that May should allow the issue to be heard in the Municipal Court as the quickest way of settling the issue.

Rumble, in turn, told the judge that he believed the issue was simply a legal interpretation of the county ordinance, and that May should decide the issue.

May said he would take it under submission.