

CITY OF CALISTOGA Planning and Building Department

MOBILE HOME RENT STABILIZATION
ORDINANCE – RSO
Calistoga Municipal Code
Chapter 2.22

HISTORY

- ▶ The City desires to harmonize relations in MHP.
- ▶ Original RSO- Ordinance 493 adopted 1993
- ▶ Subsequent Amendments (Ord. 513 & 531)
- ▶ City Council Resolution No. 2005-064 & 2006-22, establishing Ad-Hoc Committee to Review RSO
- ▶ July 23, 2007 Committee and City Council Study Session
- ▶ Ordinance 644 Adopted October 2, 2007 by City Council, establishing current RSO

PURPOSE AND INTENT of RSO

- ▶ 1. Prevent exploitation of the shortage of vacant mobile home park spaces;
- ▶ 2. Prevent excessive and unreasonable mobile home park space rent increases;
- ▶ 3. Rectify the disparity of bargaining power that exists between mobile home park homeowners and mobile home park owners;
- ▶ 4. Provide mobile home park owners with a rate of annual space rent increase that reflects the impact of inflation and/or increases in their expenses;
- ▶ 5. Provide a process for insuring mobile home park owners a fair, just, and reasonable rate of return on their parks in cases where the annual space rent increase provided by this chapter proves insufficient;
- ▶ 6. Provide continued rent stabilization on the sale or transfer of a mobile home on-site to prevent unnecessary and unreasonable rent increases to new mobile home homeowners.

Key Players and Roles

- ▶ Park Owners
- ▶ Mobile Home Owner
- ▶ Affected Homeowners
- ▶ Administrator
- ▶ Mediator
- ▶ Arbitrator
- ▶ City Attorney
- ▶ City Council



Key Terms and Concepts

- ▶ Base Rent
- ▶ Capital Improvements
- ▶ Consumer Price Index
- ▶ Gross Income
- ▶ Net Operating Income
- ▶ Operating Expenses

Key Terms and Concepts (cont.)

- ▶ Base Rents
- ▶ Vacancy Control
- ▶ Anniversary Date
- ▶ Permissible Annual Rent Increases
- ▶ Other Rent Increases



Vacancy Control

- ▶ A. A park owner is prohibited from raising rent upon the sale of a mobile home on site to a prospective homeowner or current homeowner.
- ▶ B. A park owner shall be permitted to charge a new base rent for a mobile home space whenever a lawful vacancy occurs. For purposes of this chapter, "lawful space vacancy" shall mean:
 - ▶ 1. A vacancy occurring because of the termination of the tenancy by the park owner in accordance with California Civil Code sections 798.56 through 798.58; or
 - ▶ 2. A vacancy of the mobile home space arising from the voluntary removal of a mobile home from the mobile home space by the affected mobile home homeowner. A removal of the mobile home from the space for the purpose of performing rehabilitation or capital improvements to the space or for the purpose of upgrading the mobile home shall not constitute a voluntary removal of the mobile home.
- ▶ C. Any alleged violation of this section shall be subject to automatic arbitration pursuant to CMC 2.22.090(F).

Permissible Increases

Lesser of either:

- ▶ 1. One hundred (100) percent of the annual percent change in the CPI for the S.F. Bay Area published for the month of April; or
- ▶ 2. Six percent of the base rent.



Anniversary Date

- ▶ Chateau Calistoga – June 1st
- ▶ Calistoga Springs – April 1st
- ▶ Rancho de Calistoga – November 1st
- ▶ Fairway Manor – April 1st

Other Rent Increase Limitations

- ▶ Rent Increase Between 100% and 300% Annual Percent Change in CPI (Informational meeting, Mediation, Potential Arbitration).
- ▶ Rent Increase Exceeding 300% Annual Percent Change in CPI (Automatic Arbitration).
- ▶ Capital Improvement Project (51 percent written consent of all spaces).
- ▶ Base Year/NOI Adjustments.



Q & A

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