

City of Calistoga

Staff Report

TO: Honorable Mayor and City Council

FROM: Erik V. Lundquist, Associate Planner

VIA: Charlene Gallina, Director of Planning & Building

DATE: October 5, 2010

SUBJECT: General Review of City Rent Stabilization Ordinance

APPROVAL FOR FORWARDING:


 William C. Norton, Interim City Manager

1 **ISSUE:** General review of the City's Rent Stabilization Ordinance and Program.

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3 **RECOMMENDATION:** Discuss and provide direction.

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5 **BACKGROUND:** The following information is provided as a general review of the
 6 City's mobile home rent stabilization ordinance, in response to the direction provided
 7 by the Council. This matter, along with a discussion regarding the Notice of Rent
 8 Increase at the Rancho de Calistoga Mobile Home Park, was originally scheduled for
 9 the September 7, 2010 City Council Meeting. However upon introduction of the item,
 10 the City Council moved to continue the general review of the City's Rent Stabilization
 11 Ordinance to October 5, 2010 and proceeded with discussing just the Rancho de
 12 Calistoga matter. The September 7, 2010 Staff Report is attached for your
 13 convenience.

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15 **DISCUSSION:** In light of the Rancho de Calistoga Notice of Rent Increase, the City
 16 Council has requested general information pertaining to implementation of the City's
 17 Mobile Home Rent Stabilization Ordinance. Much of this information was presented in
 18 the City Council report dated September 7, 2010 (Refer to Attachment 1). Attachment
 19 2 represents new information and/or recent correspondence relating to the opinions of
 20 Robert Vanderford, a homeowner received on September 28, 2010. Attachment 3 and
 21 4 represents Park Owner, Albert Schlarmann of Fair Way Manor and Anthony

22 Rodriguez, Attorney for Rancho de Calistoga submitted additional correspondence
23 expressing suggesting modifications to the Ordinance.

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25 **NEXT STEPS:** Again, staff finds that the RSO still remains an effective tool for
26 resolving rental disputes and permitting park owners a just and reasonable return,
27 while protecting homeowners from unnecessary and unreasonable rent increases.
28 Although staff does find that evolving case law and recent local implementation
29 experience may warrant further refinement(s) to the RSO that could strengthen the
30 functionality. However, staff does not suggest amendments to the RSO in the short
31 term. Additionally, through public education and continuing to take an active role in
32 defeating legislation that would preempt or weaken local rent stabilization laws, the
33 RSO has the potential to remain capable of meeting its intended purpose.

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35 Should the City Council's wish to provide further direction, staff would suggest that the
36 City Council direct staff to take the following next steps:

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- 38 • Strengthen efforts to defeat proposed state legislation which would preempt or
39 weaken local rent stabilization laws; and
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- 41 • Continuing evaluation of the Ordinance and the Administrator's role in
42 administering the RSO; and
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- 44 • Propose and implement internal Administrator changes for increased
45 performance, better service to the affected parties, and accomplishment of the
46 goals of the Ordinance; and
- 47
- 48 • Educating various homeowner groups and park management as to their rights
49 and responsibilities under the Ordinance.
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51 **FISCAL IMPACT:** The City's Mobile Home Park Special Revenue Fund 27 provides
52 an accounting and budget of the following Mobile Home Park Programs: 1) the Mobile
53 Home Rent Stabilization Ordinance Administration and 2) the Mobile Home State Fee
54 and Inspection Program. Attachment 5 is a detailed summary of the applicable
55 revenues and expenditures associated for these programs that correspond with
56 financial information provided in Attachment 6 of the City Council Staff Report of
57 September 7, 2010.

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59 **ATTACHMENTS:**

- 60 1. City Council Staff Report September 7, 2010
- 61 2. Robert Vanderford letter dated August 27, 2010
- 62 3. Email from Albert Schlarman dated Tuesday September 7, 2010
- 63 4. Anthony Rodriguez letter dated September 16, 2010
- 64 5. Mobile Home Park Program Revenue and Expense Summary