

RENT REVIEW BOARD

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. RRB _____ File No. _____

Ord No. RRB _____

Agenda Item No.: 6
Date: June 15, 2011

TO: Honorable Chairman and Members of the Rent Review Board

FROM: Jerry Van Leeuwen, Director of Community Services

SUBJECT: Short-form Rent Increase Application for Valley Parkway Mobilehome Park

RECOMMENDATION:

- Consider the short-form rent increase application submitted by Valley Parkway Mobilehome Park.
- If approved, adopt Rent Review Board Resolution No. 2011-04 granting an increase of seventy-five percent (75%) of the change in the Consumer Price Index, or 1.393% (an average of \$5.62) for the period of December 31, 2008 to December 31, 2010.

INTRODUCTION:

Valley Parkway Mobilehome Park ("Park") has filed a short-form rent increase application. The Board is asked to accept the staff report, hear public testimony, and make a determination concerning the request in accordance with the Escondido Rent Protection Ordinance and the short-form procedures as outlined in the Rent Review Board Guidelines. The application and the staff report have been made available to the Board for review and consideration prior to the hearing.

THE RENT INCREASE APPLICATION:

Valley Parkway Mobilehome Park is an all age Park located at 1721 East Valley Parkway. Valley Parkway has a total of 144 spaces, of which 139 spaces are subject to rent control. Residents that moved into the Park within the last 12 months (which currently represents 10 spaces) will receive a zero increase. The application is requesting an increase for 129 spaces. The Park's facilities include a clubhouse with a kitchen and billiard room. The Park also has a pool and patio area. There are laundry facilities available for a fee.

The application meets all the eligibility criteria for submittal of a short-form rent increase application.

PARK OWNER'S REQUEST:

The period of consideration for this rent increase request is December 31, 2008 to December 31, 2010. Seventy-five percent of the change in the Consumer Price Index for this two-year period is 1.393%. Based on an average monthly space rent of approximately \$404.06, the average increase would be approximately \$5.62.

The last rent increase application for Valley Parkway was a short form request approved in March of 2007, in the amount of 2.89% or an average increase of \$10.66 per space per month.

RESIDENT MEETING AND COMMENTS:

Residents were invited to a meeting in their clubhouse on May 18, 2011, at 6:00 p.m. The meeting was attended by three residents, the Park Managers, Anita and Ray Henbest, Code Enforcement Officer Sandra Moore, and consultant Michelle Henderson. Iris Hendershot volunteered to serve as the resident representative for this process. Residents were advised of their right to speak at the public hearing and that they must sign in if they are protesting the application. There were no health and safety issues expressed by the residents or concerns regarding the short-form rent increase application.

Currently, there are a total of 24 residents who participate in the City of Escondido Rent Subsidy Program.

CODE INSPECTION REPORT:

An inspection by the Code Enforcement Division of the City noted violations of the Health and Safety Code. A copy the Code Report is attached as "Exhibit A". The applicant representative received a copy of the Report and is aware that no rent increase, if granted, may be implemented until the Health and Safety Code violations have been cleared.

ADDITIONAL FACTORS AFFECTING THE APPLICATION:

The decision of the Rent Review Board will be finalized by adoption of the Resolution confirming the findings of the Public Hearing. The Notice of Determination will be mailed to the applicant and residents immediately upon adoption of the Resolution. The Park owner may send the 90-day notice of any rent increase granted to the residents upon the adoption of the Resolution.


Respectfully Submitted,


Jerry Van Leeuwen
Director of Community Services



DATE: May 25, 2011

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE RENT CONTROL BOARD

FROM: BRIAN GUSTAFSON, CODE ENFORCEMENT MANAGER 

SUBJECT: VALLEY PARKWAY MOBILEHOME PARK RENT CONTROL

Valley Parkway Mobilehome Park was inspected on May 19, 2011, with the lighting inspection conducted that morning, as a result of an application for a rent increase having been filed. One violation was found and noted in the attached inspection report.

The resident representative for the park was contacted and attended the resident meeting on May 18, 2011 along with two other park residents. She advised there were no health and safety concerns and said she had received no complaints from any of the park's residents.

There were no code enforcement cases in this park during the past year.

CC: Barbara Redlitz, Director of Community Development
Michelle Henderson, Rent Control Administration



May 24, 2011

MOBILEHOME PARK RENT CONTROL
CODE ENFORCEMENT INSPECTION REPORT

Park Name: Valley Parkway Mobile Home Park

Park Owner: Darol Caster
c/o Les Frame Management Co.
1261 Rincon Road
Escondido, CA 92025

Park Managers: Ray and Anita Henbest **Phone:** (760) 746-2370

Inspection Date: 05/19/11 **Inspector(s):** S. Moore

The following report is based on the inspection of the mobile home park conducted under provisions outlined in the California Health & Safety Code, Division 13, Part 2.1; the California Code of Regulations, Title 25; the Escondido Zoning Code, Article 45; and the Escondido Municipal Code. This inspection report only addresses health and safety issues that are related to areas for which maintenance, repair and operations is the responsibility of the owners and managers of the park.

General Violations:

1. Remove all combustible material such as wood, plastic, etc. around the water heaters serving the laundry room and clubhouse. **25 CCR 1246 (b); California Plumbing Code (CPC), 2010 Edition 505.3 & 502.6**

**Areas of the park needing illumination per 25 CCR 1108
(Lighting Inspection; 05-19-11)**

No lighting violations were found.

MOBILEHOME PARK RENT REVIEW

RESIDENT REPRESENTATIVE REPORT FORM

Park Name: VALLEY PARKWAY MHP

Date of Inspection:

Resident Representative _____

This park will be inspected as a result of an application having been filed for a rent increase. The Code Enforcement Division will base their inspection under provisions outlined in the California Health and Safety Code, Division 13, Part 2.1; California Code of Regulations – Title 25, the Escondido Zoning Code, Article XLV; and the Escondido Municipal Code, Section 6-480 Property Maintenance.

The report compiled by the Code Enforcement Division will address the health and safety issues related to the common areas of the mobile home park and those items for which the repair and maintenance is the responsibility of the owners and managers of the park. The attached list is to assist you and the residents in noting your current concerns so that they can be addressed as part of the process.

At the time of the inspections, each item on this list will be discussed with the participants. If it is a violation of Title 25 it will be made part of the Inspection Report.

Occasionally there are no concerns noted by park residents. If that is the case, we ask that you check the appropriate statement below, sign the form and return it to the Code Enforcement Division.

☒ The residents have expressed no specific concerns or issues at this time.

☐ The residents have expressed the specific issues and concerns that are noted on the accompanying pages of this report.

IRIS HENDERSON
Print Name of Resident Representative

[Signature]
Signature

5-19-2011
Date

#92 760-839-5744
Space # / Phone Number

City of Escondido
Code Enforcement Division
201 N. Broadway
Escondido, CA 92025
(760) 839-4650

RENT CONTROL INSPECTION CHECKLIST
RESIDENT COMMENTS

Responsible person: There shall be a person available who shall be responsible for the operation and maintenance of the mobile home park. The person or designee shall reside in parks of 50 units or more, and shall have knowledge of emergency procedures of the park facilities.

Rubbish, accumulation of waste material: The park shall be kept clean and free of the accumulation of refuse, garbage, rubbish, excessive dust or debris.

Drainage: The park common areas and roadways shall be graded and sloped to provide storm drainage runoff. Standing water should evaporate within 72 hours.

Building and park lighting: During hours of darkness, artificial lighting shall be maintained in accordance with requirements of Title 25.

Lot address identification: Each lot shall be identified by letters, numbers or a street address mounted in a conspicuous place facing the roadway.

Permanent park buildings: Park buildings, structures and facilities shall be maintained free from hazards.

Emergency information: Emergency information is to be printed and posted in a conspicuous location and shall contain the following telephone numbers/information:

- Fire Department
- Police Department
- Park office
- Responsible person for operation and maintenance
- Code Enforcement
- Park location – address
- Nearest public telephone

Other questions, comments or concerns:

RESOLUTION NO. RRB 2011-04

A RESOLUTION OF THE ESCONDIDO
MOBILEHOME RENT REVIEW BOARD
MAKING FINDINGS AND GRANTING A RENT
INCREASE FOR VALLEY PARKWAY
MOBILEHOME PARK

WHEREAS, Article V of Chapter 29 of the Escondido Municipal Code is a codification of the Escondido Mobilehome Rent Protection Ordinance ("Ordinance") and provides for mobilehome space rent regulation; and

WHEREAS, the City of Escondido Mobilehome Park Rental Review Board ("Board") is charged with the responsibility of considering applications for rent increases; and

WHEREAS, a short-form rent increase application pursuant to Section 12 of the Rent Review Board Guidelines was filed on April 11, 2011, by Delmy V. Solano of Les Frame Management, Inc., the representative of the owner of the rental spaces in Valley Parkway Mobilehome Park, located at 1721 East Valley Parkway in Escondido; and

WHEREAS, this is the tenth rent increase application filed by the Park since the Ordinance became effective in 1988. The last rent increase was granted by the board in Rent Review Board Resolution 2007-01 on March 7, 2007, for 2.89%, or approximately \$10.66 per space, per month; and

WHEREAS, at the time of the current application, the average monthly space rent was \$404.06 for the 129 spaces subject to a rent increase. The owner requested a rent increase in the amount of seventy-five (75%) of the change in the Consumer Price

Index (CPI) for the period December 31, 2008, through December 31, 2010, in accordance with the Rent Review Board short-form policy guidelines. The application estimated this amount to be an average of \$5.62 (1.393%) per space, per month; and

WHEREAS, a notice of the Park's Rent Increase Application was sent to all affected homeowners. All parties were given notice of the time, date, and place of the rent hearing before the Board; and

WHEREAS, on May 19, 2011, a Mobilehome Park Rent Review Code Enforcement Inspection Report ("Inspection Report") was completed. It noted Health and Safety Code violations in the Park; and

WHEREAS, on June 15, 2011, the Board held its public hearing. After an initial presentation of the Staff Report, the Board invited testimony from Park ownership, residents of the Park and other residents of the community at large; and

WHEREAS, after all present had been given an opportunity to speak, the hearing was closed. Following an opportunity for discussion among the Board members and clarifying questions to the parties and Staff, the Board voted to grant an increase of 1.393% (75% of the change in the CPI for the two-year period of consideration) or average rent increase of \$5.62 per space, per month, for the 129 spaces which are subject to the rent increase.

NOW, THEREFORE, BE IT RESOLVED by the Rent Review Board of the City of Escondido, as follows:

1. That the above recitations are true.

2. That the Board has heard and considered all of the reports and testimony presented, and has considered the facts as outlined in the short-form Guidelines ("Guidelines").

3. That following the Guidelines, an increase based on seventy-five percent (75%) of the change in the Consumer Price Index (CPI) for San Diego County from December 31, 2008, through December 31, 2010, would amount to 1.393%, which averages \$5.62 per space, per month, for the 129 spaces that are subject to a rent increase.

4. That the Board concluded that an increase of 1.393%, an average of \$5.62 per space, per month, is consistent with the Guidelines and is fair, just, and a reasonable increase in light of the information presented by all parties.

5. That the increase may be implemented upon the expiration of the required 90-day notice to the residents, which may be issued upon the adoption of this Resolution.

6. That the increase may not be implemented until after the health and safety code violations noted in the Inspection Report have been corrected, signed off, and are in compliance with the various state and local code sections as noted in the Inspection.