ESCONDIDO
City of Choice

RENT REVIEW BOARD

For City Clerk's Use:
☐ APPROVED ☐ DENIED
Reso No. RRB _____ File No. _____
Ord No. RRB _____

Agenda Item No.: 20
Date: June 27, 2012

TO: Honorable Chairman and Members of the Rent Review Board

FROM: Jerry VanLeeuwen, Director of Community Services

SUBJECT: *Short-form Rent Increase Application for Eastwood Meadows*

RECOMMENDATION:

- Consider the short-form rent increase application submitted by Eastwood Meadows Mobilehome Park.
- If approved, adopt Resolution No. RRB 2012-06 granting a rent increase of 75% of the change in the Consumer Price index (CPI) for the period of December 31, 2009, through December 31, 2011, or 2.989% (an average of $12.90 per space).

INTRODUCTION:

Eastwood Meadows 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:

The Park is an all-age park located at 2550 E. Valley Parkway and has a total of 129 spaces. Management is requesting an increase for the 93 spaces subject to rent control. Spaces not subject to this rent increase request include spaces on long-term leases and one employee home. Park facilities include a furnished clubhouse with a kitchen, billiard room, exercise room and manager's office. There are outside shuffleboard courts, a community pool, a children's playground, and a car wash area. For a fee, a laundry facility and recreational vehicle storage area are available for residents' use.

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

PARK OWNER'S REQUEST:

The Park is requesting an increase of 75% of the change in CPI for the period of December 31, 2009 to December 31, 2011. Seventy-five percent of the change in CPI for the period of consideration is 2.989%. The average space rent for spaces subject to an increase is $446.90. The average monthly increase requested is approximately $12.90 per space, per month.

This is the tenth application for a rent increase filed by this Park since the Ordinance was implemented. The last increase was granted on December 9, 2009, for approximately $12.74 per space per month.

RESIDENT MEETING AND COMMENTS:

Individual notices were sent to each affected resident notifying them of the rent increase application and the hearing date. Approximately five residents attended a meeting in their clubhouse on May 30, 2012, at 6:00 p.m., at which time staff reviewed the short-form hearing procedures. Chad Casenhiser, the Owner's representative, the Park Manager and Maintenance Supervisor attended the meeting. Residents expressed overall satisfaction with the conditions at the park, noting that the pool has been resurfaced and many driveways have been repaved recently, and park landscaping has been well-maintained. Concerns were expressed regarding standing water near the entrance to the Park and striping of the East Valley Parkway. These items are out of the control of Park Management and therefore outside of the scope of the rent control hearing. Appropriate City departments have been notified and the issues have been addressed.

CODE ENFORCEMENT INSPECTION:

An inspection of the common areas of the Park by the Code Enforcement Division of the City on June 4, 2012 noted some violations of the Health and Safety Code. A copy of the Code Enforcement Report is attached as Exhibit "A." The Owner received a copy of the Report and was made aware that no rent increase, if granted, may be implemented until all 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 Resolution No. RRB 2012-06 confirming the findings of the Board. A Notice of Determination will be mailed from the City to the applicant and residents immediately upon adoption of the Resolution. Additionally, the 90-day notice of any rent increase granted may be sent by the Park owner to the residents upon the adoption of the Resolution.

Respectfully Submitted,

Jerry VanLeeuwen
Director of Community Services

EXHIBIT "A"

ESCONDIDO
City of Choice

DATE: **JUNE 4, 2012**

TO: **HONORABLE CHAIRMAN AND MEMBERS OF THE RENT CONTROL BOARD**

FROM: **BRIAN GUSTAFSON, CODE ENFORCEMENT MANAGER**

SUBJECT: **EASTWOOD MEADOWS MOBILE HOME PARK**

Eastwood Meadows Mobile Home Park was inspected on June 4, 2012, with the lighting inspection conducted the morning of May 31, 2012, as a result of an application for rent increase having been filed. There were four general violations found during today's inspection and three lighting violations noted in the report which is attached.

A resident meeting was held on May 30, 2012 (attended by four residents, the park manager and maintenance man, the owner's representative, the resident representative, two private citizens and one city employee); there were no health and safety concerns raised.

There were no Code Enforcement cases opened during the past year at any of these spaces.

CC: Barbara Redlitz, Director of Community Development
Karen Youel, Rent Control Administration

ESCONDIDO
City of Choice

June 4, 2012

MOBILEHOME PARK RENT CONTROL CODE ENFORCEMENT INSPECTION REPORT

Park Name: Eastwood Meadows Mobile Home Park

Park Owner: Mobile Park West
c/o CEJ Management LLC
99 Pacific Street, Bldg. 375-E
Monterey, CA 93940

Park Manager: Barbara Cartwright **Phone:** (760) 747-5437

Inspection Date: 06/04/12 **Inspector:** S. Moore

The following report is based on 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 related to the common facilities and areas in the mobile home park for which maintenance, repair and operations is the responsibility of the owners and managers of the park.

General Violations:

1. Repair/replace the eaves and other wooden supports under the roofs of the two permanent shade structures inside the shuffleboard court. Repair/replace the deteriorated bottom portion of the door of the equipment room inside the laundry room. **25 CCR 1605 (b) (6), 25 CCR 1605 (i)**

2. Properly cover the exposed plumbing pipes and electrical wiring adjacent to the clothes washers inside the laundry building. **25 CCR 1246 (b), 25 CCR 1605 (d) (1)**

3. Remove the stored materials next to the water heater and forced air unit inside the pool pump room. **25 CCR 1246 (b) per CPC, 2010 Ed., 502.6 & 505.3**

4. Remove the dead vegetation (piles of leaves, etc.) inside the RV storage lot. **25 CCR 1120 (b)**

Areas of the park needing illumination per 25 CCR 1108 (Lighting Inspection: 05/31/12)

The lighting in the park was found to be generally sufficient and lighting levels were within the minimum requirements for illumination; however, the inspection revealed that the light fixture adjacent to the RV storage lot is inoperable and there is vegetation around the street lights adjacent to spaces 57 and 80.

MOBILEHOME PARK RENT REVIEW

RESIDENT REPRESENTATIVE REPORT FORM

Park Name Eastwood Meadows

Date of Inspection June 4, 2012

Resident Representative Donna Martin

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.

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

DONNA MARTIN
Print Name of Resident Representative

Donna Martin
Signature

_____
Date

_____
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.

STANDING WATER - ENTRANCE/EXIT - CITY RESPONSIBILITY.
CITY HAS BEEN NOTICED. DW

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:

RV PARKING LOT—MGMT HAS AGREED TO REPLACE PAVING IN A MONTH OR SO.

Agenda Item No.: 20
Date: June 27, 2012

RESOLUTION NO. RRB 2012-06

A RESOLUTION OF THE ESCONDIDO MOBILEHOME RENT REVIEW BOARD MAKING FINDINGS AND GRANTING A RENT INCREASE FOR EASTWOOD MEADOWS 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 May 16, 2012, by Chad Casenhiser, the Owner's representative of Eastwood Meadows Mobilehome Park ("Park"), located at 2550 E. Valley Parkway in Escondido. The short-form rent increase applies to 93 of the 129 spaces; and

WHEREAS, this is the tenth rent increase application filed by the Park since the Ordinance became effective in 1988. The last short-form rent increase for 2.92%, or approximately $12.74 per space, per month, was granted at a Rent Review Board Hearing held on December 9, 2009, and formerly adopted by Rent Review Board Resolution 2009-06; and

WHEREAS, at the time of the current short-form rent increase application, the average monthly space rent was $446.90 for the 93 spaces subject to the rent increase.

The owner requested a rent increase in the amount of seventy-five percent (75%) of the change in the Consumer Price Index (CPI) for the period December 31, 2009, through December 31, 2011, in accordance with the Rent Review Board short-form policy guidelines. The short-form rent increase application estimated this amount to be an average of $12.90, an increase of 2.989% per space, per month; and

WHEREAS, a notice of the Park's Short-form 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 June 4, 2012, a Mobilehome Park Rent Review Code Enforcement Inspection Report ("Inspection Report") was completed and it noted health and safety code violations in the Park; and

WHEREAS, on June 27, 2012, the Board held its public hearing and after an initial staff presentation, the Board invited testimony from the Park Owner's representative, 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 2.989%, an average of $12.90 per space, per month, for the 93 spaces which are subject to a 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 CPI for San Diego Country from December 31, 2009, through December 31, 2011, would amount to 2.989%, which averages $12.90 per space, per month, for the 93 spaces that are subject to a rent increase.

4. That the Board concluded that an increase of $12.90 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 short-form rent 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 Report.

6. That the short-form rent 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.