

## RENT REVIEW BOARD

For City Clerk's Use:

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**APPROVED**

☐

**DENIED**

Reso No. RRB \_\_\_\_\_

File No. \_\_\_\_\_

Ord No. RRB \_\_\_\_\_

**Agenda Item No.: 19**

**Date: October 17, 2012**

**TO:** Honorable Chairman and Members of the Rent Review Board

**FROM:** Jerry Van Leeuwen, Director of Community Services

**SUBJECT:** Greencrest Mobilehome Park Short-form Rent Increase Application

### **STAFF RECOMMENDATION:**

- Consider the short-form rent increase application submitted by Greencrest Mobilehome Park.
- If approved, adopt Rent Review Board Resolution No. 2012-11 granting an increase of 75% of the change in the Consumer Price Index, or 1.244% (an average of \$5.16), for the period of June 30, 2011, to June 30, 2012. The application meets the eligibility criteria for submittal of a short-form rent increase application.

### **INTRODUCTION:**

Greencrest 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 ("Ordinance") and the short-form procedures as outlined in the Rent Review Board Guidelines (Section 12). 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:**

Greencrest is an all age Mobilehome park located at 541 W. 15th Avenue in Escondido. The Park contains 129 spaces, and 67 spaces are subject to rent control. The remaining spaces are either rentals or subject to a long-term lease.

Common facilities include a clubhouse, a community swimming pool and a playground. Also, laundry facilities are available to the residents for a fee.

### **PARK OWNER'S REQUEST:**

The Park owner is requesting an increase of 75% of the change in the CPI for the past year. The CPI period covered by this application is June 30, 2011, to June 30, 2012. Seventy-five percent (75%) of the change in the CPI for the period of consideration is 1.244%. The

current average monthly base rent per space of the spaces affected is \$414.62. The average increase requested is approximately \$5.16 per space, per month.

**RENT INCREASE HISTORY:**

This is the 11th application for a rent increase filed by the Park since the Ordinance was implemented. The Park last came before the Rent Review Board in November 2011, for a hearing on a short-form application where the Board granted an increase based on 75% of the one-year change in CPI, an average of \$10.10 per space, per month.

**RESIDENT MEETING AND COMMENTS:**

The Resident meeting was held September 24, 2012, at 6:00 p.m. in the Park's clubhouse. Six residents attended the meeting. Residents were briefed on the short-form procedures and the process, including their need to appear at the hearing and sign-in if they wish to protest the short-form application. The meeting was also attended by the Park owner's representative, Jim Younce and the Park Manager, Leticia Amavisca, and City staff, Karen Youel.

Resident issues and concerns included the need for additional ventilation in the laundry room. The laundry room was rehabilitated in the past year and inspected by City staff; residents acknowledged that the laundry room is built to code. Other issues included speeding in the Park, stray cats, non-residents using the trash bins and flies/mosquitoes around the trash bind.

**CODE ENFORCEMENT ISSUES:**

The Code Enforcement Division conducted a health and safety inspection of the common areas of the Park on September 26, 2012 and noted two existing code violations. A copy of the Code Inspection Report is attached as "Exhibit A." The Park owner's representative and resident manager received a copy of the report. The Park was re-inspected on October 8, 2012; all health and safety code violations noted in the Inspection Report have been corrected.

**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, and the Notice of Determination will be mailed to the applicant and residents immediately upon adoption of the Resolution. The 90-day notice of any rent increase granted may be sent to the residents upon the adoption of the Resolution.

Respectfully Submitted,


  
Jerry Van Leeuwen  
Director of Community Services



Exhibit : "A"

**DATE: SEPTEMBER 27, 2012**

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

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

**SUBJECT: GREENCREST MOBILEHOME PARK**

Greencrest Mobilehome Park was inspected on September 26, 2012, with the lighting inspection conducted the morning of September 27, as a result of an application for a rent increase having been filed. There were two violations found during the site inspection and no violations found during the lighting inspection; the inspection report is attached.

A resident meeting was held on September 24, 2012, attended by six residents, Jim Younce, three managers and one city staff member. There was no resident representative identified or present at the inspection and no resident form turned in to staff.

There were four open code enforcement cases in this park during the past year, all pertaining to individual space issues.

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



September 27, 2012

**MOBILEHOME PARK RENT CONTROL**  
**CODE ENFORCEMENT INSPECTION REPORT**

**Park Name:** Greencrest Mobilehome Park  
541 W. 15<sup>th</sup> Ave.  
Escondido, CA 92025

**Park Owner:** GC MHP L L C  
301 E. 17<sup>th</sup> St., Ste. 208  
Costa Mesa, CA 92627

**Park Manager:** Leticia Amavisca      **Phone:** (760) 745-4352

**Inspection Date:** 09/26/12      **Inspectors:** 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 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 access gate on the swimming pool fence, so that it self-closes and self-latches in accordance with the California Building Code. 25 CCR 1042, per CBC 3109

2. Repair the leak in the feeder(s) of the swimming pool chlorinator. 25 CCR 1608 (e)

**Areas of the park needing illumination per 25 CCR 1108  
(Lighting Inspection; 09-27-12)**

No lighting violations were found.



**Code Enforcement Division**  
201 North Broadway, Escondido, CA 92025  
Phone: 760-839-4650 Fax: 760-432-6819

October 8, 2012

Bart Thomsen Properties  
Attn: Kattie Morris  
301 E. 17<sup>th</sup> Street, #208  
Costa Mesa, CA 92627

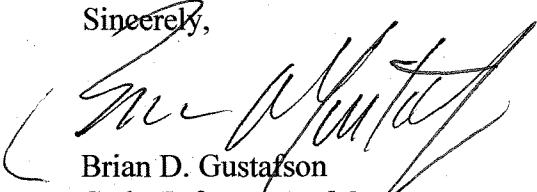
Jim Younce  
Greencrest Mobilehome Park  
1415 S. Pine St.  
Escondido, CA 92025

Dear Kattie and Jim,

This notice is to formally advise you that the violations noted in the rent control inspection report dated September 27, 2012 have been inspected and signed off.

We appreciate having the parks cooperation during this process. Our mutual efforts are important in maintaining safe and healthy parks in our city. Please feel free to call me if you have any questions.

Sincerely,



Brian D. Gustafson  
Code Enforcement Manager

CC: City Council/Rent Review Board  
Karen Youel, Rent Control Administrator

RESOLUTION NO. RRB 2012-11

A RESOLUTION OF THE ESCONDIDO  
MOBILEHOME RENT REVIEW BOARD MAKING  
FINDINGS AND GRANTING A RENT INCREASE  
FOR GREENCREST 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 ("Application") pursuant to Section 12 of the Rent Review Board Guidelines was filed on September 12, 2012, by Bart Thomsen, the Owner of Greencrest Mobilehome Park ("Park"), located at 541 W. 15th Avenue in Escondido. The Application applies to 67 of the 129 spaces; and

WHEREAS, this is the eleventh rent increase application filed by the Park since the Ordinance became effective in 1988. The last rent increase was granted by the Board in November 2011. The previous increase affected 69 spaces; the average increase was \$10.10 per space, per month; and

WHEREAS, at the time of the current Application, the average monthly space rent was \$414.62 for the 67 spaces subject to rent control. The owner requested a rent increase in the amount of 75% of the change in the Consumer Price Index (CPI) for the period June 30, 2011, through June 30, 2012, in accordance with the Rent Review Board short-form policy guidelines. The Application estimated this amount to be an

average of \$5.16, (1.244%) per space, per month; and

WHEREAS, a notice of the Park's 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 September 26, 2012, a Mobilehome Park Rent Review Code Enforcement Inspection Report ("Inspection Report") was completed in the Park; and

WHEREAS, on October 17, 2012, the Board held its public hearing and after an initial staff presentation, 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 1.244%, an average of \$5.16 per space, per month, for the 67 spaces which are subject to rent control.

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 75% of the change in the CPI for San Diego County from June 30, 2011, through June 30, 2012, would amount to 1.244%, which averages \$5.16 per space, per month, for the 67 spaces that



are subject to rent control.

4. That the Board concluded that an increase of \$5.16 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 ("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 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.