



# City of Woodland

City Hall  
300 First Street  
Woodland, CA 95695

## Meeting Agenda

### Manufactured Home Fair Practices Commission

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Wednesday, March 29, 2017

6:30 PM

Council Chambers

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#### CITY COUNCIL CHAMBERS

Second Floor

March 29, 2017

6:30 PM

- A. CALL TO ORDER
- B. ROLL CALL
- C. PLEDGE OF ALLEGIANCE
- D. COMMUNICATIONS - PUBLIC COMMENT

This is an opportunity for the public to speak to the Commission on any item other than those listed for public hearing on this agenda. Speakers are requested to use the microphone in front of the Board and to begin by stating their name, whether they reside in Woodland and the name of the organization they represent if any. The Chairperson may impose a time limit on any speaker depending on the number of people wanting to speak and time available for the rest of the agenda. In the event comments are related to an item scheduled on the agenda, speakers may be required to wait to make their comments until that item is considered.

- E. CORRESPONDENCE
- F. COMMISSIONER STATEMENTS AND REQUESTS

This is an opportunity for the Commission members and staff to make comments and announcements, to express concerns, or to request the Commission's consideration of any items a Commission Member would like to have discussed at a future meeting.

- G. REGULAR AGENDA
- H. PUBLIC HEARING

[17-0371](#)

SUBJECT: Hold a Fair Return Hearing for Idle Wheel for Idle Wheel

MHP LLC Special Adjustment Application

Staff Recommendation: Staff recommends that the Manufactured Home Fair Practices Commission take the following actions:

1. Hold a Fair Return Hearing to receive information and testimony from the owner of Idle Wheel MHP LLC, residents, and members of the public on the Special Adjustment Application submitted by Idle Wheel MHC LLC for the Idle Wheel Estates Mobile Home Park (the specific procedures are discussed below);
2. Review the expenses and revenues claimed by Idle Wheel MHC LLC and determine adjustments and amortizations where applicable;
3. Direct staff to draft a resolution and prepare findings and set a meeting date to consider the resolution and findings.

**Attachments:** [A - Staff Report FINAL 29Mar17](#)

[B - Proof Of Service By Mail 7Mar17-c2-c1-c2-c1](#)

[C - Correspondence from Residents+Public-c1-c2-c1](#)

[D - Idle Wheel-c2-c1-c2-c1](#)

[E - Chapter 16B](#)

[F - Resident Surveys-c1-c2-c1](#)

## I. ADJOURN

**I declare under penalty of perjury that the foregoing Agenda for the Manufactured Home Fair Practices Commission of the City of Woodland was posted on March 23, 2017 in the outside display case at City Hall, 300 First Street, Woodland, CA, and was available to the public during normal business hours.**

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**Ana B. Gonzalez, City Clerk**

Upon request, agendas and documents in the agenda packet will be made available in appropriate alternative formats to persons with a disability, as required by law. Any such request must be made in writing to the Office of the City Clerk of the City of Woodland. Requests will be valid for the calendar year in which the request is received, and must be renewed prior to January 1st. Persons needing disability-related modifications or accommodations in order to participate in public meetings, including persons requiring auxiliary aids or services, may request such modifications or accommodations by calling the Office of the City Clerk (530-661-5806) at least 48 hours prior to the meeting.

## Legislation Details (With Text)

**File #:** 17-0371      **Version:** 1      **Name:**  
**Type:** Public Hearing Item      **Status:** Agenda Ready  
**File created:** 3/24/2017      **In control:** Manufactured Home Fair Practices Commission  
**On agenda:** 3/29/2017      **Final action:**  
**Title:** SUBJECT: Hold a Fair Return Hearing for Idle Wheel for Idle Wheel MHP LLC Special Adjustment Application

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**Sponsors:****Indexes:****Code sections:**

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[E - Chapter 16B](#)  
[F - Resident Surveys-c1-c2-c1](#)

Date	Ver.	Action By	Action	Result
3/29/2017	1	Manufactured Home Fair Practices Commission		

TO: MHFPC Chair and Commissioners

DATE: March 29, 2017

SUBJECT: Hold a Fair Return Hearing for Idle Wheel for Idle Wheel MHP LLC Special Adjustment Application

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1. Hold a Fair Return Hearing to receive information and testimony from the owner of Idle Wheel MHP LLC,

residents, and members of the public on the Special Adjustment Application submitted by Idle Wheel MHC LLC for the Idle Wheel Estates Mobile Home Park (the specific procedures are discussed below);

2. Review the expenses and revenues claimed by Idle Wheel MHC LLC and determine adjustments and amortizations where applicable;

3. Direct staff to draft a resolution and prepare findings and set a meeting date to consider the resolution and findings.

**SUMMARY:** Idle Wheel MHP LLC (“Park Owner”), the owner of the Idle Wheel Estates Mobile Home Park located at 907 Bourn Drive (Yolo County Assessor’s Parcel Number 027-520-064), submitted a Special Adjustment Application (“Application”) on July 22, 2016 with the City of Woodland for consideration by the Manufactured Home Fair Practices Commission (“MHFPC” or “Commission”). Idle Wheel is requesting an increase in the amount of \$163.29 per space per month, which is a 45.09 percent increase from the current space rent ceiling, as well as recovery of its costs for the Application. MHFPC staff reviewed the Application and determined Idle Wheel’s application to be complete on January 11, 2017.

## **BACKGROUND OF IDLE WHEEL**

Idle Wheel Mobile Estates, located at 907 Bourn Drive in Woodland, was constructed in approximately 1961 in unincorporated Yolo County. The City subsequently annexed the park. The park contains approximately 153 manufactured home spaces and other features and amenities, including a community room, pool, green space, play structure, and laundry room, on a 20.734-acre parcel. The site is bordered by single-family homes on all sides in addition to a church on the north. The current owners purchased Idle Wheel on April 23, 2015 (property transfer date) from Idle Wheel Partners LP in the amount of \$6,700,000. The owners’ financing for the purchase included a ten-year \$5,000,000 loan through Capital One Multifamily Finance at the fixed interest rate of 4.15 percent. The loan has two years of interest-only payments, 9.5 years of yield maintenance, and a 30-year amortization payable on an actual/360 basis. A summary of Idle Wheel’s past rent adjustments is detailed below.

## **BACKGROUND LAW**

The City’s voters adopted Measure T in November 2001, which added Chapter 16B to the Woodland Municipal Code, entitled Manufactured Home Space Rent Control. Measure T provided for the establishment of the Manufactured Home Fair Practices of the City of Woodland. Woodland Mun. Code § 16B-4(a). Its membership consists of five regular members and two alternate members, none of whom are permitted to be either a manufactured home owner or resident or otherwise have any interest in a manufactured home park. § 16B-4(b) (1).

Section 16B-8 specifies the procedure to increase space rents. Section 16B-8(c)(1) allows a permissive adjustment of the lesser of three percent or an increase equal to 75% of the Consumer Price Index (“CPI”) during the twelve calendar months immediately preceding the date of the application. If the park owner receives the maximum permissive adjustment but does not believe that the permissive adjustment provides for a just and reasonable return on the property, a park owner may apply for an adjustment based on the park’s net operating income (“NOI”). Net Operating Income for a manufactured home park is gross income less operating expenses. § 16B-11. Sections 16B-12 and 16B-13 define gross income and operating expenses respectively. The Ordinance also allows park owners to pass through to park residents government assessments that relate to park operation, other than federal, state, or local taxes, governmental license or registration fees, or fees required by Chapter 16B. §16B-8(d). These are referred to as “pass-through adjustments.” A copy of Chapter

16B is Attachment F.

The Ordinance includes a presumption that the adjustments (permissive, NOI, and pass-through) provide all adjustments necessary for the park owner to have a just and reasonable return on investment for any given year. § 16B-9(c). However, a park owner may apply for a “special adjustment” if the owner believes that these adjustments do not provide a just and reasonable return. The park owner has the burden of presenting evidence rebutting this presumption. Commission Regulations § 9.01(d). If the Commission, after holding a hearing and considering all information and testimony presented, determines that the park owner is not receiving a just and reasonable return, the Commission “must grant an additional ‘special’ adjustment to the space rent ceiling to the extent necessary to ensure a fair return on investment.” Regulations § 1.07.

The City’s Ordinance places restrictions on rent, which is permitted under the law, but that permission is not unfettered. A city’s rent restrictions may eliminate excessively high rents but must also provide the owner with a “just and reasonable” return on its investment in the property. *Birkenfeld v. City of Berkeley*, 17 Cal. 3d 129, 165 (1976). The rate of return “must be high enough to encourage good management including adequate maintenance of services, to furnish a reward for efficiency, to discourage the flight of capital from the rental housing market and to enable operators to maintain and support their credit.” *Oceanside Mobilehome Park Owners’ Assn. v. City of Oceanside*, 157 Cal. App. 3d 887, 907 (1984).

## DISCUSSION

### Idle Wheel’s Application

Idle Wheel submitted its Application on July 22, 2016. The City deemed Idle Wheel’s application complete on January 11, 2017. However, prior to that, Idle Wheel sued the City for its failure to deem the application complete and set a public hearing (*Idle Wheel MHP LLC v. City of Woodland*, Yolo County Superior Court Case No. PT16-2017). The litigation is currently stayed as the City deemed the application complete and set a public hearing. In its letter determining the completeness of Idle Wheel’s application, the City informed Idle Wheel that its application is complete but that the City reserved its right to ask additional clarifying questions regarding the Application. The Application complies with the City’s requirements and has been provided to the Commissioners and Idle Wheel residents.

The Application includes the following items, among others:

- (1) Net Operating Income Worksheet. The purpose of the worksheet is to calculate both the actual net operating income for the park during the applicable 12-month period and the available percentage increase to the space rent ceiling under the Annual NOI Adjustment process. The Worksheet asks the Applicant for information on costs to determine the base year NOI (in this case April 2015 to April 2016), the Adjusted NOI, and the Available NOI Adjustment. The NOI Worksheet is a required form to be completed and filed with the Special Adjustment Application.
- (2) Fair Return Analysis, prepared by St. John & Associates and dated July 20, 2016, concluding that the Special Adjustment Application outcome of 45.1 percent in space rent increases, averaging approximately \$164 per space, is necessary for Idle Wheel to receive a fair and reasonable return.
- (3) Current Market Rent Estimate, prepared by Netzer & Associates concluding that the current “market rent,” fee simple interest, as of July 15, 2016, is in the range of \$635 to \$645 per month per space.
- (4) Analysis in Support of Idle Wheel MHP LLC Special Adjustment Application, prepared by the Hart

King Law Firm concluding that the City must grant an upward adjustment to the space rent ceiling of \$163.29 per month per space in order to assure that Idle Wheel will remain a viable, well maintained source of moderately priced housing in Woodland.

- (5) Additional documents (23 total) in Support of Idle Wheel MHP LLC Analysis in Support of Special Adjustment Application, prepared by the Hart King Law Firm, many of which are Woodland City Council staff reports and meeting minutes leading up to and after the City's voters approved in November 2001 the Manufactured Home Space Rent Control Ordinance (Measure T) and the November 2002 approval of revisions to the ordinance (Measure I), and a 1993 report authored by Michael St. John, Ph.D., entitled "*Fair Return and the California Court.*"

This multi-part application issued by the Manufactured Home Fair Practices Commission is completed by a park owner to rebut the presumption that none of the other adjustments (Net Operating Income, permissive, pass-through, or other regular adjustments) would result in a just and reasonable return to the park owner for the particular year. Idle Wheel did not file for a NOI adjustment but did submit a NOI Worksheet as a required part of the Application.

Idle Wheel's application requests a space rent increase of 45.1 percent, or \$163.29 per space per month. The application states that the average space rent is \$362.06, the average increase will be \$163.29, and that the average space rent will be \$525.35. The application further states that this average rent will be below the market rent of \$635 per space. The fair market rent determination was made by Netzer & Associates in July 2016 and was based on sales within Idle Wheel with a caveat that the author did not visit the park but assumed the coaches are in average condition.

Idle Wheel's counsel sets forth a lengthy analysis arguing why the rent increase is necessary. Idle Wheel argues that the average rent of \$362 per month is unduly low and does not allow the owner to provide reasonable maintenance to the property. Moreover, Idle Wheel argues that the lower rent results in unreasonably inflated sale prices of mobile homes within Idle Wheel and that the Ordinance's provisions for annual permissive adjustments does not fully account for the effects of inflation. Thus, Idle Wheel contends this Application and requested rent increase are necessary.

Idle Wheel states that its total investment in 2015 was \$7,062,977 (purchase price and capital improvements) with actual net operating income of \$331,548.65, yielding a rate of return of .0469 and that applying what Idle Wheel believes is a fair rate of return of .0893 would provide for a fair net operating income of \$630,724. Achieving that rate of return would require the \$163.29 per space per month rent increase. Idle Wheel claims that the new average rate of \$525.35 would still be below market rent and that such conclusion is supported by the report prepared and submitted by James Netzer.

### ANALYSIS OF APPLICATION

Staff and the Commission chair reviewed and analyzed the application and had a number of questions. In an attempt to gather additional documents and get further clarification on the contents of the Application, City staff sent a letter detailing those questions via email to Idle Wheel's counsel on March 1, 2017. (See Attachment D.) As of the date of the writing of this report, the City had not received a response from Idle Wheel's counsel. The City's questions in the March 1, 2017 letter are summarized as follows:

1. Whether Idle Wheel is claiming any lost revenue from fire-related damage from the February 22, 2016 fire, whether Idle Wheel received insurance payments as a result of the fire, and whether Idle Wheel has taken any steps to improve the fire hydrants within the park. The letter also asked for written

documentation, if any, in support of any such costs or payments.

2. A request to be prepared to provide written documentation beyond the general ledger information submitted with the application for all items in excess of \$250 included in management expenses, normal repair and maintenance, and other administrative costs.
3. A request to explain the \$5,687.04 R&M cost related to the gas system.
4. A request to explain expenses listed in Account 5710 for advertising and promotion.
5. A request to explain why the cost of LLC formation should be charged as a park operating expense.
6. A request to clarify whether the \$10,745.10 of legal and expert witness costs are included in expenses used to determine the NOI.
7. A request to clarify what the term “Watman-Waterhouse” in the NOI filing refers to.
8. What the travel expenses were for and a request for documentation in support of the expenses.
9. A request to have insurance policy pages documenting annual insurance costs provided.
10. A request for invoices or other documents supporting the street repair costs.
11. A request for documents regarding the fair market value of the property.
12. A request for documents supporting the amortization costs listed in the NOI.
13. A request for confirmation of Netzer & Associates’ determination of space rents that the cost of moving the mobile home from the dealer’s lot to the park is not included and additional information related to that issue.
14. Request for confirmation regarding the loan to value rate, interest rate, and equity.
15. Questions related to Dr. St. John’s recommendation and whether it is consistent with mobile home parks with an average rate of amenities, and how that was determined.

Section 16B14-(d) states that it is the Applicant’s responsibility for a special adjustment application to provide any evidence available to the applicant upon request by the Commission. Should the Commission need additional information to complete its discussions and determination, it should ask the Applicant for that information. Section 16B-14 (d)(7) of the Ordinance and Regulation 9.04 direct the Manufactured Home Fair Practices Commission to consider all relevant, available evidence, including, a list of thirteen factors, which are set forth below.

a. Changes to the Consumer Price Index.

Idle Wheel states in its Application that inflation (100% of CPI) from the base year 1995 through the present has increased 61% while Idle Wheel’s cumulative rent increase through 2016 based on the City’s Permissive Adjustment formula increased 43.65%, meaning that the rent ceiling has not kept up to inflation.

b. Rents for comparable mobile home spaces in the city of Woodland.

The following table provides a summary of the number of units, base rent (which do not include charges for utilities), and features and amenities provided at each of the five manufactured home parks located in Woodland (listed in alphabetical order).

**Woodland Manufactured Home Parks**

Park	Units	Base Rent	Community Room	Office On-Site	Pool	Green Space	Play Structure	RV/Trailer Parking, Storage	Laundry Room
Bell's	40	\$257.92 to \$323.39	No	No	No	No	No	No	Yes
Casa del Sol (Note 1)	157	\$61 to \$1025	Yes	Yes	No	Yes	Yes	No	Yes
Idle Wheel (Note 2)	153	\$332.79 to \$386.27	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Leisureville (Note 3)	150	\$335 to \$362	Yes	Yes	Yes	Yes	No	Yes	?
Royal Palm (Note 4)	131	\$355.82 to \$395.16	Yes	Yes	Yes	Yes	No	No	Yes

**Note 1** - Despite the wide range in rents, the majority of residents pay base rents in the \$300 range. The park provides units for very low income, low income, and moderate income households as an affordable housing development with multiple affordability covenants recorded on the property. A number of the households work in agriculture.

The Playground area includes two play structures (one for older children and one for young children) and a separate structure with swings. Adjacent to this area is a large lawn area (green space). The office/community room/laundry room area also includes a small room for children's activities. Casa del Sol underwent a comprehensive rehabilitation during the approximate period of 2008 - 2011. New utilities were installed (water, sewer, storm drain, electric, and gas), roadways were reconstructed; a community building was constructed; the East Street frontage of the development was reconstructed with new landscaping, fencing, and sidewalk/curb/gutter; and an area was cleared and improved for installation of 32 new coaches in approximately 2011. The City of Woodland and former City of Woodland Redevelopment Agency provided multiple loans for property acquisition and rehabilitation. In addition, the City received a grant through Sacramento Area Council of Governments that funded the East Street frontage improvements.

**Note 2** - The community building includes a partial kitchen. A shade structure is located within the swimming pool area. A moderate-size lawn (green space) is adjacent to the swimming pool. Recently, a play structure was installed in the lawn area. As of March 5, 2017, the play structure was fenced off and not yet available for use. The recreational vehicle/trailer storage area includes two stalls for washing vehicles.

**Note 3** - It is unclear whether base rent at this property includes utility charges for water, sewer, and garbage. LCA's community building includes a community room, game room, and kitchen.

In 1995, Leisureville residents purchased the park from the private owner and created a cooperative ownership (Leisureville Community Association or LCA) for Leisureville, a development limited to senior citizen households. Residents paid a membership fee of \$5,000 per each manufactured home in order to join LCA. The City of Woodland provided a loan to assist LCA with the purchase and establish a revolving loan fund to assist loan income residents purchase loan shares in the cooperative. Pursuant to the LCA Regulatory Agreement, at least 51 percent of the units at Leisureville must be occupied by low income households.

**Note 4** - Small lawn areas (green space) are located adjacent to the swimming pool. A building adjacent to the swimming pool includes an office, community room, kitchen, and laundry room.

Idle Wheel argues that a fair market rent analysis is “circular” because all mobile home spaces within the City are subject to rent control except for Leisureville as it is resident-owned and exempt from the rent control ordinance.

c. The length of time since the last rent increase or rent adjustment.

Since the Manufactured Home Fair Practices Commission began meeting in 2002 to review applications for permissive adjustments to the space rent ceiling, Idle Wheel has applied for and been approved by the Commission for permissive adjustments each year with the exception of 2006. Most recently, the Commission approved a 1.58% increase in 2016. The annual increases for Idle Wheel approved by the Commission are as follows:

**Idle Wheel Permissive Adjustments to the Space Rent Ceiling**

Year	2002	2003	2004	2005	2006	2007	2008	2009
Increase	18.2%	1.73%	1.13%	2.02%	N/A	2.32%	2.87%	0.06%
Year	2010	2011	2012	2013	2014	2015	2016	2017
Increase	1.41%	1.45%	1.96%	1.50%	0.97%	0.68%	1.58%	Pending

**Notes:** The 2002 permissive adjustment was the initial permissive adjustment. For 2006, the park did not submit a permissive adjustment application. Had an application been filed in 2006, the park may have been eligible for an adjustment of 2.24%. The permissive adjustment in 2009 was depressed because of an extremely low inflation rate. The current owner submitted an application for 2017 for a permissive adjustment, and the application will be acted on by the Manufactured Home Fair Practices Commission later this year.

d. Capital improvements made to the park and the costs for such improvements.

Idle Wheel provided information related to improvements made to the park. Idle Wheel states that it acquired the park in April 2015 knowing that it had deferred maintenance and since then performed street paving and also expended funds for a slab repair (\$6,800), pool resurfacing (\$19,180), and a carwash roof (\$6,750).

e. Changes in property taxes or other assessed taxes to the park.

Idle Wheel claims that its property taxes will increase over previous years due to its recent acquisition of the property. It claims annual real property taxes in the amount of \$70,485.15.

f. Rent paid by park owner/applicant for leased land.

As far as staff is aware, the park owner/applicant is not paying for leased land.

g. Changes in utility charges or rates.

The residents pay their own utility bills. However, Idle Wheel does show a gas repair and maintenance expense in the documentation submitted.

h. Changes in reasonable operating and maintenance expenses.

Idle Wheel provided information regarding its operations and maintenance expenses. The City asked for clarification and additional documentation for some of these expenses, but as of the time of this writing has not received a response. The Commission may have additional questions about these expenses. One additional item staff has noted since sending the letter is that it is unclear from the documentation submitted whether the plumbing expense is an ongoing item or whether the issue has resolved. As part of staff's review of the expenses reported by the applicant, staff identified a number of items that may require further clarification from the applicant and potential adjustments and amortizations where applicable by the Commission. These items are addressed in the following table, most of which are the same as items staff previously requested clarification

from the Applicant. The Commission may have questions about expenses other than these as well.

**Review of Idle Wheel Expenses**

	Category/Account	Description	Amount	Comments
1	Improvements - Paving (1355)	Paving	\$362,977	Applicant characterized item as investment. Amortize cost?
2	Wages, Managers (5200)	X-mas bonus (Anahid Lop)	\$500	Exclude from operating expenses?
3	Repairs & Maintenance - Park Owned Homes/Bldgs	Roof Replacement (car wash roof)	\$6,750	Amortize expense?
4		X-mas bonus (Byran Mull)	\$200	Exclude from operating expenses?
5	Repairs & Maintenance - Pool & Spa (5510)	Swimming pool replastering	\$19,180	Was condition of swimming pool factored into purchase price of Idle Wheel? Amortize expense?
6	Tools & Equipment (5650)	Riding lawnmower	\$3,400.98	Amortize expense?
7	Accounting (5700)	2014 tax return	\$300	Exclude from operating expenses?
8	Advertising & Promotion (5710)	Water for Reed	\$235.45	Clarification needed. Exclude from operating expenses?
9		Gift for Reed	\$54.22	Clarification needed. Exclude from operating expenses?
10		Employee X-mas gifts	\$67.71	Exclude from operating expenses?
11	Dues, Subscription, Fees (5750)	Final notice fee from City of woodland	\$11.00	Fee for late utility payment? Exclude from operating expenses?
12		Late fee from Wave Broadband	\$4.75	Exclude from operating expenses?
13		LLC annual tax voucher payment for CA Franchise Tax Board	\$800	Exclude from operating expenses?
14		Payment voucher for LLC e-filed returns (CA FTB)	\$900	Exclude from operating expenses?
15		LLC Pen, interest	\$70	Clarification needed. Exclude from operating expenses?
16	Legal General (5800)	LLC Formation	\$2,104	LLC established for tax convenience of owner? Exclude from operating expenses.
17	Management Fees (5820)	Management Services	\$24,522.63	Clarifications needed on how management services differ from duties of managers.
18	Meals & Entertainment (5830)	Meal for lender	\$82.66	Exclude from operating expenses?
19	Travel (5940)	Travel by owner and manager (Bryan Mull)	\$22,261.76	Manager responsible for \$21,333.36 of total. Unclear on reasons for travel. Exclude a portion from operating expenses?

i. The need for repairs caused by circumstances other than ordinary wear and tear.

Idle Wheel’s single largest improvement to the park for asphalt resurfacing was done in 2016, at a cost of \$362,977. It is unclear whether the lack of street maintenance was factored into the negotiations for the park’s purchase. Staff also views this cost as one addressing normal wear and tear of the streets and a cost that should

be amortized over time rather than being a one-time expense. The Commission may also wish to ask the applicant whether a civil engineer who specializes in pavement assessments or another professional with similar skills was consulted on the pavement condition and recommended the resurfacing. Furthermore, the Commission may inquire if the applicant considered any less expensive treatments, such as fog and crack sealing, slurry seal, or cape seal to extend the life of the pavement.

j. The amount and quality of services and amenities provided by the park owner applicant to the residents of the park.

The table above lists amenities provided at Idle Wheel. Park resident Bill Long noted in his letter to the Commission that Idle Wheel recently constructed a playground without the residents' approval. Either Idle Wheel or residents or perhaps both may offer testimony or provide additional documentation regarding the amount and quality of services and amenities provided at the park.

k. The park owner/applicant's investment, additional investments, appreciation, depreciation, and possible tax benefits.

Idle Wheel has provided information concerning its investments in the property, including its purchase price. The Commission may ask Idle Wheel's representatives for additional information and/or documentation to support its numbers.

l. Any particular hardship circumstances of the park owner/applicant or the residents.

Both the park owner and the park residents have made hardship claims. The Application sets forth arguments and documents explaining why the owner believes it is not receiving a fair return on its investment. Numerous park residents have sent letters to the City explaining that a rent increase in the amount proposed would be a financial burden (see Attachment C).

m. Factors related to capture by incumbent residents of a premium upon sale

The Commission's regulations also provide for the Commission to consider, if raised by the applicant, factors related to the capture by incumbent residents of a premium upon the sale of their mobile homes attributable to the net value of the benefits of space rent control, including, but not limited to: (1) whether a premium exists; (2) whether other external factors exist that prevent the capture of a premium; and (3) whether a Special Adjustment is needed to prevent the creation or capture of such a premium. Regulations §9.04(d).

Idle Wheel asserts that the current rent levels do create a premium in the selling prices of mobile homes and that the expectation of continuing to have below market rents is capitalized into the resale value of the mobile home. Idle Wheel makes this argument on pages 7 through 9 of its counsel's analysis. The United States Supreme Court explained the issue by noting that the effect of a rent control ordinance may be to increase the mobile home's value, and this value typically only benefits the tenant in possession of the mobile home at the time the rent control ordinance is imposed. *Yee v. City of Escondido*, 503 U.S. 519, 530 (1992). This, the Court states, is a difference between a mobile home rent control ordinance and a more typical apartment rent control ordinance as apartment dwellers typically do not sell anything to their successors. *Id.*

## COMMUNICATION FROM PARK RESIDENTS

The City received numerous letters from park residents, which are included as Attachment C. Most of the residents explained the financial hardship a rent increase would have on their personal finances. One of the residents, Bill Long, wrote to the Commission about a water shut-off on March 6, 2017. He stated that while he thinks this type of shut-off will be reflected by Idle Wheel as a repair and maintenance item, he believes it is an ineffective long-term fix and that the water delivery infrastructure is deteriorating.

### **ITEMS OUTSIDE THE SCOPE OF THIS PUBLIC HEARING**

The Commission and Commission staff have heard from Idle Wheel residents about problems with the on-site fire hydrant and asked whether the City has jurisdiction to fix the fire hydrant. The state has jurisdiction over fire protection standards in mobile home parks. Health & Safety Code § 18691(a). The City may decide to enforce its fire prevention code in mobile home parks provided that the City gives the state at least 30 days written notice. If it does so, it may then enforce fire hydrant systems as well as a number of other things. However, the City has never given that notice and, thus, does not enforce the fire hydrant system within Idle Wheel. The only fire hydrant issue that may be relevant to the Commission's fair return hearing is whether Idle Wheel invested any money in repairing the fire hydrant system.

### **CONDUCT OF PUBLIC HEARING**

The Commission held two meetings, on January 25 and February 8, 2017 to discuss the structure of the public hearing. During the February 8, 2017 meeting, the Commission approved a general outline for the public hearing. The City Attorney's office sent the outline to Idle Wheel's counsel on February 27, 2017 and to the tenants' counsel on March 3, 2017. Neither Idle Wheel nor the tenants have provided an estimate for how much time they anticipate needing to make an initial presentation to the Commission. The City understands that the tenants and/or Idle Wheel may wish to call witnesses, and attorneys for both Idle Wheel and the tenants have been informed that they would have the right to cross-examine witnesses. As the City does not know how much time either Idle Wheel or the tenants anticipate or how many (if any) witnesses each may present, the City offers the general outline below for the Commission's consideration.

It is also important to note that both Idle Wheel and the tenants have hired counsel to represent their interests in this proceeding. The role of staff and the City Attorney are to assist the Commission in its conduct of the public hearing, to facilitate the gathering and analysis of information, and to communicate with counsel for Idle Wheel and the residents. Following the hearing and completion of the Commission's deliberations, staff will draft written findings and a resolution for adoption by the Commission.

Additionally, Idle Wheel's counsel raises issues of an unbiased decision-maker and a fair hearing. The Ordinance does not permit any person affiliated with a mobile home park to serve on the Commission, to avoid any financial interest or conflict of interest. City staff is not aware of any financial interest of any individual Commissioner in this matter and is also unaware of any specific non-financial bias that would prevent the Commission from providing a fair hearing. While Idle Wheel has requested that any Commissioner who voted for the mobile home rent control ordinance not participate in the fair return hearing, as Commissioners who voted for the ordinance are alleged to be biased, no legal authority is cited for the proposition that voting on a rent control ordinance over fifteen years ago creates a bias to have a hearing officer's position so unalterably set to a specific outcome. Additionally, City staff declines to ask Commissioners how they voted on an ordinance (or anything else for that matter) as voting at the polling place is secret.

Staff recommends the Commission do the following:

1. Staff will summarize the written staff report and take any introductory questions from the Commission.

2. Review the outline of proceedings for the public hearing.
3. Open the public hearing.
4. Applicant's presentation, including questioning of witnesses, if any
5. Cross-examination of Applicant's witnesses, if any, by residents' representative and/or questions from Commissioners to Idle Wheel's counsel or witnesses
6. Residents' presentation, including questioning of witnesses, if any
7. Cross-examination of residents' witnesses, if any, by Idle Wheel's representative and/or questions from Commissioners to residents' counsel or witnesses
8. Public Comment for any other person in attendance who wishes to comment on the matter
9. Idle Wheel's Rebuttal and/or concluding remarks. If Idle Wheel has further questions for the residents, those should be addressed to the Commission.
10. Residents' Rebuttal and/or concluding remarks. If the residents have further questions for Idle Wheel, those should be addressed to the Commission.
11. Close the public hearing.
12. Commission Discussion, Deliberation, and Direction to Staff. The Commission may request the applicant, residents, or staff to answer questions. At the conclusion of its deliberations, the Commission should direct staff to prepare written findings for adoption by the Commission by resolution. The Commission should also set another date and time for consideration of those written findings and adoption of the resolution.

## **COMMISSION'S DELIBERATIONS**

The Commission is charged with granting a rent ceiling adjustment, as it determines, in its sole discretion, based upon written findings. §16B-14(e)(2). The Commission may grant the application in full or in part or may deny the application. The Commission should also determine whether the park owner should be allowed to pass through the hearing fee (\$16,000) to park residents.

Pursuant to the Ordinance, the Commission has 90 days from the date of the City's completeness determination (January 11, 2017) and fourteen calendar days from the date of the close of the public hearing to render its written decision. The 90th day is April 11, 2017. Due to the rescheduling of the public hearing (see below) from March 14 to March 29, 2017, counsel for both Idle Wheel and the residents have agreed that the Commission may render its decision on or by April 28, 2017 instead.

The Commission's decision will be supported by written findings. Those findings will be drafted by staff to support a conclusion regarding the owners of Idle Wheel receiving a fair rate of return on its investment in Idle Wheel.

The Commission's decision is final, which means that there is no appeal to the City Council or any other person or body within the City of Woodland. §16B-14(h)(3).

## **PUBLIC NOTIFICATION:**

A public hearing notice was prepared by the Community Services Department and mailed out to residents of Idle Wheel (one notice per manufactured home space) on February 25, 2017, for a public hearing originally scheduled for March 14, 2017. The City's Ordinance and Commission regulations contain contradictory language, indicating in one place that notice must be mailed at least fifteen days prior to the scheduled hearing date (§16B-14(c)(2)) and indicating in another that notice must be mailed at least twenty days prior to the scheduled hearing date (§16B-9). Legal counsel for the tenants complained that the City had not met the required 20 day mailing period and that the tenants would raise a complaint at the hearing of improper notice.

Idle Wheel's representative requested that the hearing be continued with sufficient time for the City to give 20 days mailed notice. Thus, City staff on Tuesday, March 7, 2017, mailed notice of the March 29, 2017 hearing to all Idle Wheel residents in self-addressed, envelopes with first class postage supplied by the Park Owner.

Consistent with Section 6.06(h) of the Commission's Regulations, a copy of this staff report was provided by electronic mail to counsel for Idle Wheel and the residents seven days before the date of the March 29, 2017 Commission hearing. Copies of the staff report for the proposed project have been on file at the Woodland Community and Senior Center and City Hall since March 22, 2017.

**ATTACHMENTS:**

- A.** Idle Wheel Special Adjustment Application (**provided under separate cover**)
- B.** Public Hearing Notice Proof of Publication
- C.** Correspondence from Idle Wheel Residents and Community Members
- D.** Resident Surveys submitted by Idle Wheel/Royal Palm Community Association
- E.** Correspondence from City of Woodland dated March 1, 2017 to Idle Wheel Counsel
- F.** Chapter 16B of the City of Woodland Municipal Code

**PROJECT TITLE:** Special Adjustment Application submitted by Idle Wheel MHP LLC for the Idle Wheel Estates Mobile Home Park

**APPLICANT:** Idle Wheel MHP LLC  
Idle Wheel Estates  
500 Giuseppe Court, Suite 2  
Roseville, CA 95678

**STAFF:** Dan Sokolow, Senior Planner  
Community Services Department  
City of Woodland  
2001 East Street  
Woodland, CA 95776  
(530) 661-5927  
dan.sokolow@cityofwoodland.org

**REPORT FOR:** City of Woodland, Manufactured Home Fair Practices Commission – March 29, 2017

**ENVIRONMENTAL REVIEW:** The Special Adjustment Application has been reviewed by staff in accordance with the California Environmental Quality Act (CEQA). The project is exempt from CEQA under CEQA Guidelines section 15061(b)(3) because the action (Special Adjustment Application) would clearly have no adverse effect on the environment.

**STAFF RECOMMENDATION:** Staff recommends that the Manufactured Home Fair Practices Commission take the following actions:

1. Hold a Fair Return Hearing to receive information and testimony from the owner of Idle Wheel MHP LLC, residents, and members of the public on the Special Adjustment Application submitted by Idle Wheel MHC LLC for the Idle Wheel Estates Mobile Home Park (the specific procedures are discussed below);
2. Review the expenses and revenues claimed by Idle Wheel MHC LLC and determine adjustments and amortizations where applicable;
3. Direct staff to draft a resolution and prepare findings and set a meeting date to consider the resolution and findings.

**SUMMARY:** Idle Wheel MHP LLC (“Park Owner”), the owner of the Idle Wheel Estates Mobile Home Park located at 907 Bourn Drive (Yolo County Assessor's Parcel Number 027-520-064), submitted a Special Adjustment Application (“Application”) on July 22, 2016 with the City of Woodland for consideration by the Manufactured Home Fair Practices Commission (“MHFPC” or “Commission”). Idle Wheel is requesting an increase in the amount of \$163.29 per space per month, which is a 45.09 percent increase from the current space rent ceiling, as well as recovery of its costs for the Application. MHFPC

staff reviewed the Application and determined Idle Wheel’s application to be complete on January 11, 2017.

## **BACKGROUND OF IDLE WHEEL**

Idle Wheel Mobile Estates, located at 907 Bourn Drive in Woodland, was constructed in approximately 1961 in unincorporated Yolo County. The City subsequently annexed the park. The park contains approximately 153 manufactured home spaces and other features and amenities, including a community room, pool, green space, play structure, and laundry room, on a 20.734-acre parcel. The site is bordered by single-family homes on all sides in addition to a church on the north. The current owners purchased Idle Wheel on April 23, 2015 (property transfer date) from Idle Wheel Partners LP in the amount of \$6,700,000. The owners’ financing for the purchase included a ten-year \$5,000,000 loan through Capital One Multifamily Finance at the fixed interest rate of 4.15 percent. The loan has two years of interest-only payments, 9.5 years of yield maintenance, and a 30-year amortization payable on an actual/360 basis. A summary of Idle Wheel’s past rent adjustments is detailed below.

## **BACKGROUND LAW**

The City’s voters adopted Measure T in November 2001, which added Chapter 16B to the Woodland Municipal Code, entitled Manufactured Home Space Rent Control. Measure T provided for the establishment of the Manufactured Home Fair Practices of the City of Woodland. Woodland Mun. Code § 16B-4(a). Its membership consists of five regular members and two alternate members, none of whom are permitted to be either a manufactured home owner or resident or otherwise have any interest in a manufactured home park. § 16B-4(b)(1).

Section 16B-8 specifies the procedure to increase space rents. Section 16B-8(c)(1) allows a permissive adjustment of the lesser of three percent or an increase equal to 75% of the Consumer Price Index (“CPI”) during the twelve calendar months immediately preceding the date of the application. If the park owner receives the maximum permissive adjustment but does not believe that the permissive adjustment provides for a just and reasonable return on the property, a park owner may apply for an adjustment based on the park’s net operating income (“NOI”). Net Operating Income for a manufactured home park is gross income less operating expenses. § 16B-11. Sections 16B-12 and 16B-13 define gross income and operating expenses respectively. The Ordinance also allows park owners to pass through to park residents government assessments that relate to park operation, other than federal, state, or local taxes, governmental license or registration fees, or fees required by Chapter 16B. §16B-8(d). These are referred to as “pass-through adjustments.” A copy of Chapter 16B is Attachment F.

The Ordinance includes a presumption that the adjustments (permissive, NOI, and pass-through) provide all adjustments necessary for the park owner to have a just and reasonable return on investment for any given year. § 16B-9(c). However, a park owner may apply for a “special adjustment” if the owner believes that these adjustments do not provide a just and reasonable return. The park owner has the burden of presenting evidence rebutting this presumption. Commission Regulations § 9.01(d). If the Commission, after holding a hearing and considering all information and testimony presented, determines that the park owner is not receiving a just and reasonable return, the Commission “must grant an additional ‘special’ adjustment to the space rent ceiling to the extent necessary to ensure a fair return on investment.” Regulations § 1.07.

The City's Ordinance places restrictions on rent, which is permitted under the law, but that permission is not unfettered. A city's rent restrictions may eliminate excessively high rents but must also provide the owner with a "just and reasonable" return on its investment in the property. *Birkenfeld v. City of Berkeley*, 17 Cal. 3d 129, 165 (1976). The rate of return "must be high enough to encourage good management including adequate maintenance of services, to furnish a reward for efficiency, to discourage the flight of capital from the rental housing market and to enable operators to maintain and support their credit." *Oceanside Mobilehome Park Owners' Assn. v. City of Oceanside*, 157 Cal. App. 3d 887, 907 (1984).

## **DISCUSSION**

### **Idle Wheel's Application**

Idle Wheel submitted its Application on July 22, 2016. The City deemed Idle Wheel's application complete on January 11, 2017. However, prior to that, Idle Wheel sued the City for its failure to deem the application complete and set a public hearing (*Idle Wheel MHP LLC v. City of Woodland*, Yolo County Superior Court Case No. PT16-2017). The litigation is currently stayed as the City deemed the application complete and set a public hearing. In its letter determining the completeness of Idle Wheel's application, the City informed Idle Wheel that its application is complete but that the City reserved its right to ask additional clarifying questions regarding the Application. The Application complies with the City's requirements and has been provided to the Commissioners and Idle Wheel residents.

The Application includes the following items, among others:

- (1) Net Operating Income Worksheet. The purpose of the worksheet is to calculate both the actual net operating income for the park during the applicable 12-month period and the available percentage increase to the space rent ceiling under the Annual NOI Adjustment process. The Worksheet asks the Applicant for information on costs to determine the base year NOI (in this case April 2015 to April 2016), the Adjusted NOI, and the Available NOI Adjustment. The NOI Worksheet is a required form to be completed and filed with the Special Adjustment Application.
- (2) Fair Return Analysis, prepared by St. John & Associates and dated July 20, 2016, concluding that the Special Adjustment Application outcome of 45.1 percent in space rent increases, averaging approximately \$164 per space, is necessary for Idle Wheel to receive a fair and reasonable return.
- (3) Current Market Rent Estimate, prepared by Netzer & Associates concluding that the current "market rent," fee simple interest, as of July 15, 2016, is in the range of \$635 to \$645 per month per space.
- (4) Analysis in Support of Idle Wheel MHP LLC Special Adjustment Application, prepared by the Hart King Law Firm concluding that the City must grant an upward adjustment to the space rent ceiling of \$163.29 per month per space in order to assure that Idle Wheel will remain a viable, well maintained source of moderately priced housing in Woodland.
- (5) Additional documents (23 total) in Support of Idle Wheel MHP LLC Analysis in Support of Special Adjustment Application, prepared by the Hart King Law Firm, many of which are Woodland City Council staff reports and meeting minutes leading up to and after the City's voters approved in November 2001 the Manufactured Home Space Rent Control Ordinance (Measure T)

and the November 2002 approval of revisions to the ordinance (Measure I), and a 1993 report authored by Michael St. John, Ph.D., entitled “*Fair Return and the California Court.*”

This multi-part application issued by the Manufactured Home Fair Practices Commission is completed by a park owner to rebut the presumption that none of the other adjustments (Net Operating Income, permissive, pass-through, or other regular adjustments) would result in a just and reasonable return to the park owner for the particular year. Idle Wheel did not file for a NOI adjustment but did submit a NOI Worksheet as a required part of the Application.

Idle Wheel’s application requests a space rent increase of 45.1 percent, or \$163.29 per space per month. The application states that the average space rent is \$362.06, the average increase will be \$163.29, and that the average space rent will be \$525.35. The application further states that this average rent will be below the market rent of \$635 per space. The fair market rent determination was made by Netzer & Associates in July 2016 and was based on sales within Idle Wheel with a caveat that the author did not visit the park but assumed the coaches are in average condition.

Idle Wheel’s counsel sets forth a lengthy analysis arguing why the rent increase is necessary. Idle Wheel argues that the average rent of \$362 per month is unduly low and does not allow the owner to provide reasonable maintenance to the property. Moreover, Idle Wheel argues that the lower rent results in unreasonably inflated sale prices of mobile homes within Idle Wheel and that the Ordinance’s provisions for annual permissive adjustments does not fully account for the effects of inflation. Thus, Idle Wheel contends this Application and requested rent increase are necessary.

Idle Wheel states that its total investment in 2015 was \$7,062,977 (purchase price and capital improvements) with actual net operating income of \$331,548.65, yielding a rate of return of .0469 and that applying what Idle Wheel believes is a fair rate of return of .0893 would provide for a fair net operating income of \$630,724. Achieving that rate of return would require the \$163.29 per space per month rent increase. Idle Wheel claims that the new average rate of \$525.35 would still be below market rent and that such conclusion is supported by the report prepared and submitted by James Netzer.

## **ANALYSIS OF APPLICATION**

Staff and the Commission chair reviewed and analyzed the application and had a number of questions. In an attempt to gather additional documents and get further clarification on the contents of the Application, City staff sent a letter detailing those questions via email to Idle Wheel’s counsel on March 1, 2017. (See Attachment D.) As of the date of the writing of this report, the City had not received a response from Idle Wheel’s counsel. The City’s questions in the March 1, 2017 letter are summarized as follows:

1. Whether Idle Wheel is claiming any lost revenue from fire-related damage from the February 22, 2016 fire, whether Idle Wheel received insurance payments as a result of the fire, and whether Idle Wheel has taken any steps to improve the fire hydrants within the park. The letter also asked for written documentation, if any, in support of any such costs or payments.
2. A request to be prepared to provide written documentation beyond the general ledger information submitted with the application for all items in excess of \$250 included in management expenses, normal repair and maintenance, and other administrative costs.

3. A request to explain the \$5,687.04 R&M cost related to the gas system.
4. A request to explain expenses listed in Account 5710 for advertising and promotion.
5. A request to explain why the cost of LLC formation should be charged as a park operating expense.
6. A request to clarify whether the \$10,745.10 of legal and expert witness costs are included in expenses used to determine the NOI.
7. A request to clarify what the term “Watman-Waterhouse” in the NOI filing refers to.
8. What the travel expenses were for and a request for documentation in support of the expenses.
9. A request to have insurance policy pages documenting annual insurance costs provided.
10. A request for invoices or other documents supporting the street repair costs.
11. A request for documents regarding the fair market value of the property.
12. A request for documents supporting the amortization costs listed in the NOI.
13. A request for confirmation of Netzer & Associates’ determination of space rents that the cost of moving the mobile home from the dealer’s lot to the park is not included and additional information related to that issue.
14. Request for confirmation regarding the loan to value rate, interest rate, and equity.
15. Questions related to Dr. St. John’s recommendation and whether it is consistent with mobile home parks with an average rate of amenities, and how that was determined.

Section 16B14-(d) states that it is the Applicant’s responsibility for a special adjustment application to provide any evidence available to the applicant upon request by the Commission. Should the Commission need additional information to complete its discussions and determination, it should ask the Applicant for that information. Section 16B-14 (d)(7) of the Ordinance and Regulation 9.04 direct the Manufactured Home Fair Practices Commission to consider all relevant, available evidence, including, a list of thirteen factors, which are set forth below.

a. Changes to the Consumer Price Index.

Idle Wheel states in its Application that inflation (100% of CPI) from the base year 1995 through the present has increased 61% while Idle Wheel’s cumulative rent increase through 2016 based on the City’s Permissive Adjustment formula increased 43.65%, meaning that the rent ceiling has not kept up to inflation.

b. Rents for comparable mobile home spaces in the city of Woodland.

The following table provides a summary of the number of units, base rent (which do not include charges for utilities), and features and amenities provided at each of the five manufactured home parks located in Woodland (listed in alphabetical order).

**Woodland Manufactured Home Parks**

Park	Units	Base Rent	Community Room	Office On-Site	Pool	Green Space	Play Structure	RV/Trailer Parking, Storage	Laundry Room
Bell's	40	\$257.92 to \$323.39	No	No	No	No	No	No	Yes
Casa del Sol (Note 1)	157	\$61 to \$1025	Yes	Yes	No	Yes	Yes	No	Yes
Idle Wheel (Note 2)	153	\$332.79 to \$386.27	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Leisureville (Note 3)	150	\$335 to \$362	Yes	Yes	Yes	Yes	No	Yes	?
Royal Palm (Note 4)	131	\$355.82 to \$395.16	Yes	Yes	Yes	Yes	No	No	Yes

**Note 1** - Despite the wide range in rents, the majority of residents pay base rents in the \$300 range. The park provides units for very low income, low income, and moderate income households as an affordable housing development with multiple affordability covenants recorded on the property. A number of the households work in agriculture.

The Playground area includes two play structures (one for older children and one for young children) and a separate structure with swings. Adjacent to this area is a large lawn area (green space). The office/community room/laundry room area also includes a small room for children's activities. Casa del Sol underwent a comprehensive rehabilitation during the approximate period of 2008 - 2011. New utilities were installed (water, sewer, storm drain, electric, and gas), roadways were reconstructed; a community building was constructed; the East Street frontage of the development was reconstructed with new landscaping, fencing, and sidewalk/curb/gutter; and an area was cleared and improved for installation of 32 new coaches in approximately 2011. The City of Woodland and former City of Woodland Redevelopment Agency provided multiple loans for property acquisition and rehabilitation. In addition, the City received a grant through Sacramento Area Council of Governments that funded the East Street frontage improvements.

**Note 2** - The community building includes a partial kitchen. A shade structure is located within the swimming pool area. A moderate-size lawn (green space) is adjacent to the swimming pool. Recently, a play structure was installed in the lawn area. As of March 5, 2017, the play structure was fenced off and not yet available for use. The recreational vehicle/trailer storage area includes two stalls for washing vehicles.

**Note 3** – It is unclear whether base rent at this property includes utility charges for water, sewer, and garbage. LCA's community building includes a community room, game room, and kitchen.

In 1995, Leisureville residents purchased the park from the private owner and created a cooperative ownership (Leisureville Community Association or LCA) for Leisureville, a development limited to senior citizen households. Residents paid a membership fee of \$5,000 per each manufactured home in order to join LCA. The City of Woodland provided a loan to assist LCA with the purchase and establish a revolving loan fund to assist loan income residents purchase loan shares in the cooperative. Pursuant to the LCA Regulatory Agreement, at least 51 percent of the units at Leisureville must be occupied by low income households.

**Note 4** - Small lawn areas (green space) are located adjacent to the swimming pool. A building adjacent to the swimming pool includes an office, community room, kitchen, and laundry room.

Idle Wheel argues that a fair market rent analysis is “circular” because all mobile home spaces within the City are subject to rent control except for Leisureville as it is resident-owned and exempt from the rent control ordinance.

c. The length of time since the last rent increase or rent adjustment.

Since the Manufactured Home Fair Practices Commission began meeting in 2002 to review applications for permissive adjustments to the space rent ceiling, Idle Wheel has applied for and been approved by the

Commission for permissive adjustments each year with the exception of 2006. Most recently, the Commission approved a 1.58% increase in 2016. The annual increases for Idle Wheel approved by the Commission are as follows:

**Idle Wheel Permissive Adjustments to the Space Rent Ceiling**

Year	2002	2003	2004	2005	2006	2007	2008	2009
Increase	18.2%	1.73%	1.13%	2.02%	N/A	2.32%	2.87%	0.06%
Year	2010	2011	2012	2013	2014	2015	2016	2017
Increase	1.41%	1.45%	1.96%	1.50%	0.97%	0.68%	1.58%	Pending

**Notes:** The 2002 permissive adjustment was the initial permissive adjustment. For 2006, the park did not submit a permissive adjustment application. Had an application been filed in 2006, the park may have been eligible for an adjustment of 2.24%. The permissive adjustment in 2009 was depressed because of an extremely low inflation rate. The current owner submitted an application for 2017 for a permissive adjustment, and the application will be acted on by the Manufactured Home Fair Practices Commission later this year.

d. Capital improvements made to the park and the costs for such improvements.

Idle Wheel provided information related to improvements made to the park. Idle Wheel states that it acquired the park in April 2015 knowing that it had deferred maintenance and since then performed street paving and also expended funds for a slab repair (\$6,800), pool resurfacing (\$19,180), and a carwash roof (\$6,750).

e. Changes in property taxes or other assessed taxes to the park.

Idle Wheel claims that its property taxes will increase over previous years due to its recent acquisition of the property. It claims annual real property taxes in the amount of \$70,485.15.

f. Rent paid by park owner/applicant for leased land.

As far as staff is aware, the park owner/applicant is not paying for leased land.

g. Changes in utility charges or rates.

The residents pay their own utility bills. However, Idle Wheel does show a gas repair and maintenance expense in the documentation submitted.

h. Changes in reasonable operating and maintenance expenses.

Idle Wheel provided information regarding its operations and maintenance expenses. The City asked for clarification and additional documentation for some of these expenses, but as of the time of this writing has not received a response. The Commission may have additional questions about these expenses. One additional item staff has noted since sending the letter is that it is unclear from the documentation submitted whether the plumbing expense is an ongoing item or whether the issue has resolved. As part of staff’s review of the expenses reported by the applicant, staff identified a number of items that may require further clarification from the applicant and potential adjustments and amortizations where applicable by the Commission. These items are addressed in the following table, most of which are the same as items staff previously requested clarification from the Applicant. The Commission may have questions about expenses other than these as well.

**Review of Idle Wheel Expenses**

	<b>Category/Account</b>	<b>Description</b>	<b>Amount</b>	<b>Comments</b>
1	Improvements – Paving (1355)	Paving	\$362,977	Applicant characterized item as investment. Amortize cost?
2	Wages, Managers (5200)	X-mas bonus (Anahid Lop)	\$500	Exclude from operating expenses?
3	Repairs & Maintenance – Park Owned Homes/Bldgs	Roof Replacement (car wash roof)	\$6,750	Amortize expense?
4		X-mas bonus (Byran Mull)	\$200	Exclude from operating expenses?
5	Repairs & Maintenance – Pool & Spa (5510)	Swimming pool replastering	\$19,180	Was condition of swimming pool factored into purchase price of Idle Wheel? Amortize expense?
6	Tools & Equipment (5650)	Riding lawnmower	\$3,400.98	Amortize expense?
7	Accounting (5700)	2014 tax return	\$300	Exclude from operating expenses?
8	Advertising & Promotion (5710)	Water for Reed	\$235.45	Clarification needed. Exclude from operating expenses?
9		Gift for Reed	\$54.22	Clarification needed. Exclude from operating expenses?
10		Employee X-mas gifts	\$67.71	Exclude from operating expenses?
11	Dues, Subscription, Fees (5750)	Final notice fee from City of woodland	\$11.00	Fee for late utility payment? Exclude from operating expenses?
12		Late fee from Wave Broadband	\$4.75	Exclude from operating expenses?
13		LLC annual tax voucher payment for CA Franchise Tax Board	\$800	Exclude from operating expenses?
14		Payment voucher for LLC e-filed returns (CA FTB)	\$900	Exclude from operating expenses?
15		LLC Pen, interest	\$70	Clarification needed. Exclude from operating expenses?
16	Legal General (5800)	LLC Formation	\$2,104	LLC established for tax convenience of owner? Exclude from operating expenses.
17	Management Fees (5820)	Management Services	\$24,522.63	Clarifications needed on how management services differ from duties of managers.
18	Meals & Entertainment (5830)	Meal for lender	\$82.66	Exclude from operating expenses?
19	Travel (5940)	Travel by owner and manager (Bryan Mull)	\$22,261.76	Manager responsible for \$21,333.36 of total. Unclear on reasons for travel. Exclude a portion from operating expenses?

i. The need for repairs caused by circumstances other than ordinary wear and tear.

Idle Wheel’s single largest improvement to the park for asphalt resurfacing was done in 2016, at a cost of \$362,977. It is unclear whether the lack of street maintenance was factored into the negotiations for the park’s purchase. Staff also views this cost as one addressing normal wear and tear of the streets and a cost that should be amortized over time rather than being a one-time expense. The Commission may also wish to ask the applicant whether a civil engineer who specializes in pavement assessments or another professional with similar skills was consulted on the pavement condition and recommended the resurfacing. Furthermore, the Commission may inquire if the applicant considered any less expensive treatments, such as fog and crack sealing, slurry seal, or cape seal to extend the life of the pavement.

j. The amount and quality of services and amenities provided by the park owner applicant to the residents of the park.

The table above lists amenities provided at Idle Wheel. Park resident Bill Long noted in his letter to the Commission that Idle Wheel recently constructed a playground without the residents' approval. Either Idle Wheel or residents or perhaps both may offer testimony or provide additional documentation regarding the amount and quality of services and amenities provided at the park.

k. The park owner/applicant's investment, additional investments, appreciation, depreciation, and possible tax benefits.

Idle Wheel has provided information concerning its investments in the property, including its purchase price. The Commission may ask Idle Wheel's representatives for additional information and/or documentation to support its numbers.

l. Any particular hardship circumstances of the park owner/applicant or the residents.

Both the park owner and the park residents have made hardship claims. The Application sets forth arguments and documents explaining why the owner believes it is not receiving a fair return on its investment. Numerous park residents have sent letters to the City explaining that a rent increase in the amount proposed would be a financial burden (see Attachment C).

m. Factors related to capture by incumbent residents of a premium upon sale

The Commission's regulations also provide for the Commission to consider, if raised by the applicant, factors related to the capture by incumbent residents of a premium upon the sale of their mobile homes attributable to the net value of the benefits of space rent control, including, but not limited to: (1) whether a premium exists; (2) whether other external factors exist that prevent the capture of a premium; and (3) whether a Special Adjustment is needed to prevent the creation or capture of such a premium. Regulations §9.04(d).

Idle Wheel asserts that the current rent levels do create a premium in the selling prices of mobile homes and that the expectation of continuing to have below market rents is capitalized into the resale value of the mobile home. Idle Wheel makes this argument on pages 7 through 9 of its counsel's analysis. The United States Supreme Court explained the issue by noting that the effect of a rent control ordinance may be to increase the mobile home's value, and this value typically only benefits the tenant in possession of the mobile home at the time the rent control ordinance is imposed. *Yee v. City of Escondido*, 503 U.S. 519, 530 (1992). This, the Court states, is a difference between a mobile home rent control ordinance and a more typical apartment rent control ordinance as apartment dwellers typically do not sell anything to their successors. *Id.*

## **COMMUNICATION FROM PARK RESIDENTS**

The City received numerous letters from park residents, which are included as Attachment C. Most of the residents explained the financial hardship a rent increase would have on their personal finances. One of the residents, Bill Long, wrote to the Commission about a water shut-off on March 6, 2017. He stated that while he thinks this type of shut-off will be reflected by Idle Wheel as a repair and maintenance item, he believes it is an ineffective long-term fix and that the water delivery infrastructure is deteriorating.

## **ITEMS OUTSIDE THE SCOPE OF THIS PUBLIC HEARING**

The Commission and Commission staff have heard from Idle Wheel residents about problems with the on-site fire hydrant and asked whether the City has jurisdiction to fix the fire hydrant. The state has jurisdiction over fire protection standards in mobile home parks. Health & Safety Code § 18691(a). The City may decide to enforce its fire prevention code in mobile home parks provided that the City gives the state at least 30 days written notice. If it does so, it may then enforce fire hydrant systems as well as a number of other things. However, the City has never given that notice and, thus, does not enforce the fire hydrant system within Idle Wheel. The only fire hydrant issue that may be relevant to the Commission's fair return hearing is whether Idle Wheel invested any money in repairing the fire hydrant system.

## **CONDUCT OF PUBLIC HEARING**

The Commission held two meetings, on January 25 and February 8, 2017 to discuss the structure of the public hearing. During the February 8, 2017 meeting, the Commission approved a general outline for the public hearing. The City Attorney's office sent the outline to Idle Wheel's counsel on February 27, 2017 and to the tenants' counsel on March 3, 2017. Neither Idle Wheel nor the tenants have provided an estimate for how much time they anticipate needing to make an initial presentation to the Commission. The City understands that the tenants and/or Idle Wheel may wish to call witnesses, and attorneys for both Idle Wheel and the tenants have been informed that they would have the right to cross-examine witnesses. As the City does not know how much time either Idle Wheel or the tenants anticipate or how many (if any) witnesses each may present, the City offers the general outline below for the Commission's consideration.

It is also important to note that both Idle Wheel and the tenants have hired counsel to represent their interests in this proceeding. The role of staff and the City Attorney are to assist the Commission in its conduct of the public hearing, to facilitate the gathering and analysis of information, and to communicate with counsel for Idle Wheel and the residents. Following the hearing and completion of the Commission's deliberations, staff will draft written findings and a resolution for adoption by the Commission.

Additionally, Idle Wheel's counsel raises issues of an unbiased decision-maker and a fair hearing. The Ordinance does not permit any person affiliated with a mobile home park to serve on the Commission, to avoid any financial interest or conflict of interest. City staff is not aware of any financial interest of any individual Commissioner in this matter and is also unaware of any specific non-financial bias that would prevent the Commission from providing a fair hearing. While Idle Wheel has requested that any Commissioner who voted for the mobile home rent control ordinance not participate in the fair return hearing, as Commissioners who voted for the ordinance are alleged to be biased, no legal authority is cited for the proposition that voting on a rent control ordinance over fifteen years ago creates a bias to have a hearing officer's position so unalterably set to a specific outcome. Additionally, City staff declines

to ask Commissioners how they voted on an ordinance (or anything else for that matter) as voting at the polling place is secret.

Staff recommends the Commission do the following:

1. Staff will summarize the written staff report and take any introductory questions from the Commission.
2. Review the outline of proceedings for the public hearing.
3. Open the public hearing.
4. Applicant's presentation, including questioning of witnesses, if any
5. Cross-examination of Applicant's witnesses, if any, by residents' representative and/or questions from Commissioners to Idle Wheel's counsel or witnesses
6. Residents' presentation, including questioning of witnesses, if any
7. Cross-examination of residents' witnesses, if any, by Idle Wheel's representative and/or questions from Commissioners to residents' counsel or witnesses
8. Public Comment for any other person in attendance who wishes to comment on the matter
9. Idle Wheel's Rebuttal and/or concluding remarks. If Idle Wheel has further questions for the residents, those should be addressed to the Commission.
10. Residents' Rebuttal and/or concluding remarks. If the residents have further questions for Idle Wheel, those should be addressed to the Commission.
11. Close the public hearing.
12. Commission Discussion, Deliberation, and Direction to Staff. The Commission may request the applicant, residents, or staff to answer questions. At the conclusion of its deliberations, the Commission should direct staff to prepare written findings for adoption by the Commission by resolution. The Commission should also set another date and time for consideration of those written findings and adoption of the resolution.

## **COMMISSION'S DELIBERATIONS**

The Commission is charged with granting a rent ceiling adjustment, as it determines, in its sole discretion, based upon written findings. §16B-14(e)(2). The Commission may grant the application in full or in part or may deny the application. The Commission should also determine whether the park owner should be allowed to pass through the hearing fee (\$16,000) to park residents.

Pursuant to the Ordinance, the Commission has 90 days from the date of the City's completeness determination (January 11, 2017) and fourteen calendar days from the date of the close of the public hearing to render its written decision. The 90th day is April 11, 2017. Due to the rescheduling of the public hearing (see below) from March 14 to March 29, 2017, counsel for both Idle Wheel and the residents have agreed that the Commission may render its decision on or by April 28, 2017 instead.

The Commission's decision will be supported by written findings. Those findings will be drafted by staff to support a conclusion regarding the owners of Idle Wheel receiving a fair rate of return on its investment in Idle Wheel.

The Commission's decision is final, which means that there is no appeal to the City Council or any other person or body within the City of Woodland. §16B-14(h)(3).

**PUBLIC NOTIFICATION:**

A public hearing notice was prepared by the Community Services Department and mailed out to residents of Idle Wheel (one notice per manufactured home space) on February 25, 2017, for a public hearing originally scheduled for March 14, 2017. The City's Ordinance and Commission regulations contain contradictory language, indicating in one place that notice must be mailed at least fifteen days prior to the scheduled hearing date (§16B-14(c)(2)) and indicating in another that notice must be mailed at least twenty days prior to the scheduled hearing date (§16B-9). Legal counsel for the tenants complained that the City had not met the required 20 day mailing period and that the tenants would raise a complaint at the hearing of improper notice. Idle Wheel's representative requested that the hearing be continued with sufficient time for the City to give 20 days mailed notice. Thus, City staff on Tuesday, March 7, 2017, mailed notice of the March 29, 2017 hearing to all Idle Wheel residents in self-addressed, envelopes with first class postage supplied by the Park Owner.

Consistent with Section 6.06(h) of the Commission's Regulations, a copy of this staff report was provided by electronic mail to counsel for Idle Wheel and the residents seven days before the date of the March 29, 2017 Commission hearing. Copies of the staff report for the proposed project have been on file at the Woodland Community and Senior Center and City Hall since March 22, 2017.

**ATTACHMENTS:**

- A. Idle Wheel Special Adjustment Application (provided under separate cover)
- B. Public Hearing Notice Proof of Publication
- C. Correspondence from Idle Wheel Residents and Community Members
- D. Resident Surveys submitted by Idle Wheel/Royal Palm Community Association
- E. Correspondence from City of Woodland dated March 1, 2017 to Idle Wheel Counsel
- F. Chapter 16B of the City of Woodland Municipal Code

**Attachment A**

Idle Wheel Special Adjustment Application (provided under separate cover)

**Attachment B**  
Public Hearing Notice Proof of Publication

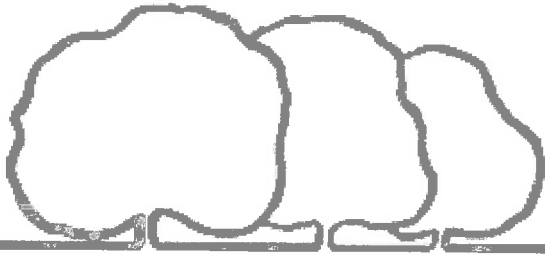
**Attachment C**  
Correspondence from Idle Wheel Residents and Community Members

**Attachment D**

Correspondence from City of Woodland dated March 1, 2017 to Idle Wheel Counsel

**Attachment E**  
**Chapter 16B**

**Attachment F**  
Resident Surveys submitted by Idle Wheel/Royal Palm Community Association



# City of Woodland

COMMUNITY SERVICES DEPARTMENT  
(530) 661-2000

2001 EAST STREET  
(530) 666-7257 FAX

WOODLAND, CA 95776  
[www.cityofwoodland.org](http://www.cityofwoodland.org)

## **\*NEW MEETING DATE\***

### **NOTICE OF SPECIAL MEETING AND PUBLIC “FAIR RETURN HEARING” BEFORE THE CITY OF WOODLAND MANUFACTURED HOME FAIR PRACTICES COMMISSION REGARDING THE APPLICATIONS FOR NET OPERATING INCOME ADJUSTMENT AND SPECIAL ADJUSTMENT SUBMITTED FOR IDLE WHEEL ESTATES**

The City of Woodland Manufactured Home Fair Practices Commission (“Commission”) will hold a special meeting and conduct a public Fair Return Hearing on Wednesday, March 29, 2017 at 6:30 p.m., or as soon as possible thereafter, in the Council Chambers, City Offices, 300 First Street, Woodland, CA 95695. **The Fair Return Hearing originally scheduled for March 14, 2017 has been cancelled.**

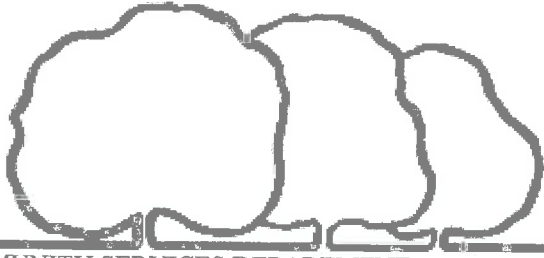
**DESCRIPTION:** The Commission will consider an application for a Net Operating Income adjustment and a special adjustment under the Manufactured Home Space Rent Control Ordinance, Woodland Municipal Code, Chapter 16B for **Idle Wheel Estates**, located at 907 Bourn Drive, Woodland, CA 95776.

**APPLICANT:** Idle Wheel MHP LLC, 500 Giuseppe Court, Suite 2, Roseville, CA 95678, phone (916) 772-4923.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in these hearings, please contact the City Clerk at (530) 661-5806. Please make your request as early as possible, and at least one-full business day before the start of the hearing.

**ALL INTRESESTED PERSONS ARE INVITED TO APPEAR AT THE MEETING DATE(S) IDENTIFIED ABOVE AT 6:30 P.M. IN COUNCIL CHAMBERS TO COMMENT. COPIES OF THE SPECIAL ADJUSTMENT APPLICATION AND THE COMPLETE FILE, CAN BE VIEWED AT THE OFFICE OF THE COMMUNITY SERVICES DEPARTMENT, 2001 EAST STREET, WOODLAND, CA 95776 AT LEAST FIVE DAYS PRIOR TO THE HEARING. QUESTIONS MAY BE DIRECTED TO CITY STAFF AT (530) 661-5927. ALL INTERESTED PERSONS ARE INVITED TO ATTEND THE HEARING AND EXPRESS THEIR COMMENTS. WRITTEN COMMENTS WILL BE ACCEPTED PRIOR TO, AT, AND DURING THE HEARING. ALL COMMENTS RECEIVED WILL BE GIVEN TO THE MANUFACTURED HOME FAIR PRACTICES COMMISSION FOR ITS CONSIDERATION.**

**PURSUANT TO SECTION 65009(b)(2), OF THE STATE GOVERNMENT CODE “IF YOU CHALLENGE ANY OF THE ABOVE PROJECTS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING(S) DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE MANUFACTURED HOME FAIR PRACTICES COMMISSION AT, OR PRIOR TO, THIS PUBLIC HEARING”.**



# City of Woodland

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WOODLAND, CA 95776  
[www.cityofwoodland.org](http://www.cityofwoodland.org)

## PROOF OF SERVICE BY MAIL

I am Dan Sokolow, Senior Planner for the Community Services Department of the City of Woodland. I am over the age of 18 years. My business address is 2001 East Street, Woodland, California 95776.

On March 7, 2017, I served the foregoing Notice of Action by depositing a true copy thereof in the United States Mail in Woodland, California, enclosed in a sealed envelope with postage thereon fully prepaid, addressed as follows: See attached mailing labels.

I certify under penalty of perjury under the laws of California that the foregoing is true and correct, and that this document is executed on March 7, 2017, at Woodland, California.

A handwritten signature in blue ink that reads "Dan Sokolow". The signature is written in a cursive style and is positioned above a horizontal line.

Dan Sokolow, Senior Planner  
Community Services Department  
City of Woodland

HECTOR/ROSA OCEGUERA  
907 BOURN DR #1  
WOODLAND, CA 95776

RUBEN NARANJO  
907 BOURN DR #2  
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MARGARET BENDER  
907 BOURN DR #3  
WOODLAND, CA 95776

ELIASAR AYALA  
907 BOURN DR #4  
WOODLAND, CA 95776

ROSITA VILLAREAL  
907 BOURN DR #5  
WOODLAND, CA 95776

MAVIS SCHAMBAUCH  
907 BOURN DR #6  
WOODLAND, CA 95776

SHELLY LOPES WHITEBEAR  
907 BOURN DR #7  
WOODLAND, CA 95776

DEBORAH RODRIGUEZ  
907 BOURN DR #8  
WOODLAND, CA 95776

RICARDO LOPEZ/ANAHID LOPEZ  
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MARIA/JOSE GOMEZ  
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SUSANA/LUCERO GARCIA  
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PLACERVILLE, CA 95667

VIRGINIA MANLEY  
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WOODLAND, CA 95776

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ROBIN MARTINEZ  
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WOODLAND, CA 95776

RUDY VENEGAS  
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MARICELA MARTINEZ  
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MOISES/NORMA MICHEL  
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LAURA AYALA  
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DANIEL SANDOVAL  
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ELENA CHAVEZ DE LA TORRE  
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BENJAMIN NUNEZ  
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WESLEY OSHIER  
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EDUARDO RUELAS  
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CELIA SANCHEZ/FERNANDO  
BARO  
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MIKE JOHNSON  
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PHILLIP MORGAN  
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KELLY PIKE  
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MARTIN OPPOLD  
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KIM MORENO  
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A CAZARES  
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WOODLAND, CA 95776

WAYNE LEWIS  
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ISIDRO CARRERA  
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MELISSA CRUZ  
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DOROTHY LOVE  
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RICK BALL  
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BILLY/LYNDA LONG  
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DONNA COTTON  
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M G RUELAS/G RODRIGUEZ  
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JUAN CARLOS CARRILLO  
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BENITO RODRIGUEZ  
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RODOLFO HERRERA  
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MELCHOR BUSTAMANTE  
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WOODLAND, CA 95776

CHRISTENSEN  
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WOODLAND, CA 95776

FRANCISCO VELEQUEZ  
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ANN/LYNN VANDERLAAN  
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MANTECA, CA 95336

PAULA ESPINOZA  
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FILEMON SALDANA  
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FERNANDO DURAN  
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MARIA HERNANDEZ  
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ROBERTO NARANJO  
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F J CORIA/M E BUENO  
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SANDRA JOHANNECK  
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NICOLAS TOPETE  
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ENRIQUE FRANCO  
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VACANT  
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JUAN ORTEGA  
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E LOPE PIMENTEL/ S IBAYRA  
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V DHARMA SHARMA  
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NOOR CHOUDRY  
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A R RUELAS  
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ARTURO GUTIERREZ  
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DELL LANGSTON  
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ELEANOR FRESCAS  
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OMAR/ALI SHAFQAT  
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BARRIOS/LOPEZ  
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SYLVIA PADILLA  
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JESUS GONZALO ORTIZ  
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REINALDO SOLORIO  
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WILMA PASSMORE  
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MARIO ESTRADA  
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F SINGH/KAUR  
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RAFAEL CAZARES  
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MENDOZA  
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JESUS ACEVES CISNEROS  
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ELISA WARFORD  
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DIANE YOUNG  
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JULIA BLOCKER  
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MARVIN CHAVEZ/KAROL  
CHAVEZ  
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SALVADOR LOPEZ  
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ADRIANA CHAVEZ  
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MIGUEZ DURAN  
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CLAUDIA VARGAS/VILLEGAS  
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ARMANDO ACOSTA  
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YOLANDA ANAYA  
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DANA SMITH  
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G COVARRILUIS  
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BARBARA BAIR  
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ANGEL MURILLO  
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MIRIAM TOVAR  
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R GONZALEZ RUIZ  
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JOHN MARTINDALE  
907 BOURN DR #201  
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MIGUEL REYES  
907 BOURN DR #202  
WOODLAND, CA 95776

JUAN P CAZARES/AURORA  
CAZARES  
907 BOURN DR #203  
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HARRY HELIN  
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BRIAN LEVERS  
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NAOMI BARROW  
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JENNIFER BIGELOW  
624 DENISE DR  
WOODLAND, CA 95776

JENNIFER BIGELOW  
907 BOURN DR #208  
WOODLAND, CA 95776

MARTIN HARDY  
907 BOURN DR #209  
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AMELIA S IBARRA/SERGIO  
IBARRA  
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MARNI LARSON  
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DAVIS, CA 95618

MARNI LARSON  
907 BOURN DR #211  
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PAM KASMIRE  
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BENJAMIN GODINEZ  
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LETICA OCEGUEDA  
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OMAR SANDOVAL  
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GEMA CAZARES  
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JOSEFINA IBARRA  
907 BOURN DR #256  
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LICEA/CHAVEZ  
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DEBORAH BECK  
907 BOURN DR #258  
WOODLAND, CA 95776

ERMINIO DIAZ  
907 BOURN DR #260  
WOODLAND, CA 95776

NORBERTO/MARIA GUZMAN  
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CARLOS CERVANTEZ  
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WOODLAND, CA 95776

JUAN GUTIERREZ  
907 BOURN DR #263  
WOODLAND, CA 95776

MARIA BARAJAS  
907 BOURN DR #264  
WOODLAND, CA 95776

JUAN GONZALEZ  
907 BOURN DR #265  
WOODLAND, CA 95776

ALMA CAMACHO  
907 BOURN DR #266  
WOODLAND, CA 95776

LUZ GUZMAN  
907 BOURN DR #267  
WOODLAND, CA 95776

HUSSIAN/MURTAZA  
907 BOURN DR #268  
WOODLAND, CA 95776

10-20-16 P04:01

To whom it may concern,

It has been brought to my attention that the rent for the space at Idle Wheel will be raised a 45% bringing our monthly payment to \$600 -/+.

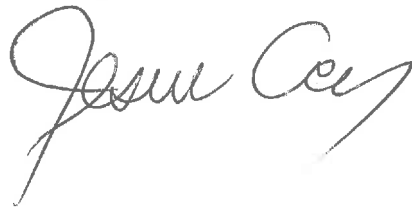
I would like to take a moment to explain a few points so that you can take into account before this raise takes effect.

1. The value of our mobile homes would go down due to the high monthly space rent, it will make it less desirable for families to want to buy or rent here because of the high rent space.
2. People like me that are still paying on the mobile home loan will have a harder time to be able to pay both payments.
3. I am schedule to retire in two years and with this new increase I find myself questioning if I will be able to afford the new space rate and the mobile home loan on a very limited income and also pay all of our other responsibilities.

I ask for you to reconsider this rate increase and take in to account that this will affect many families in our community.

Sincerely,

Jesus Aceves

A handwritten signature in black ink that reads "Jesus Aceves". The signature is written in a cursive style with a large, sweeping initial "J".

10-10-16

my name is Adriana Chavez

I live in 907 Boom Dr SPC 127

and I think is not a good idea

to pay 100 or more to rent

I think is fine like that to I pay

I work in the full season work

I have 2 kids my work is not like

all year is not to easy for me to

pay more money thanks for

read my decision Att.

Adriana Chavez

10-20-16 P04:02

Naomi Barrow  
907 Bowen Dr.  
Space 206  
Woodland, Ca

Oct 8, 2016

10-20-16 PG4:01 IN

Manufactured Home Fair Practices Commission  
Mr. Dan Sokolow, Senior Planner  
C/o Ms. Ana Gonzalez, City Clerk  
City of Woodland  
City Clerk's Office  
300 First Street, 2nd Floor  
Woodland, CA 95695

Dear Sirs,

After notification of a possible increase in the rent for Idlewheel Estates, I have been so stressed and emotionally upset.

I have lived here since 1972. The rent has gone from \$80 to \$444 over this 44 year period. The current request of a 45.09% increase is far beyond what I can afford. As a retired person for 38 years, I have a limited income. At 93 years of age, my medical has increased and I have no other form of income. Social Security has not increased to even meet cost of living increase. Prescriptions and food have also increased. I have no way of generating income.

Because of my disabilities, diminished vision and mobility issues, I have had to hire assistance to help with shopping and transportation to get me to appointments. This takes away from my daily budgeted expenses.

(over)

This community was voted to be a low income community by the city and rent should therefore be controlled. An increase of \$163.50 per month will cause me extreme hardship.

Consider this increase as beyond cost of living and keep this a low income community.

Sincerely,

Naomi Barrow

Naomi Barrow

P.S.

written with assistance from

To whom it may concern,

10-23-16 A10:03 IN

If the application by the owner of Idle Wheel mobile home park to raise the monthly space rent by over \$160.00 per month passes, it is going to be a hardship for my family, as well as others who live in the park. Many are elderly and on fixed incomes. As you may know, Social Security payments have not been increased for several years, while many expenses keep rising.

When my mother and I bought our home in 2009, we chose to buy one at Idle Wheel, specifically because we were led to believe that it was under rent control. We were told that increases would not be exorbitant. Well, \$160.00 per month is exorbitant!

Along with the monthly space rent, mortgage payments, utilities, transportation and food, there is nothing left, now. If the rent is increased this significantly, there is no extra and it will have to cut into food expenses or something else.

Please deny the owner's application or have him reconsider the amount.

Thank you for your time in considering this.

Sincerely,  
Kim and Joan Moreno

RECEIVED  
OCT 26 2016  
CITY CLERK'S OFFICE

10/10/16

11-03-16 A10:26

Attn:  
Manufactured Home Fair Practices Commission  
Mr. Dan Sokolow, Senior Planner  
c/o Ms. Ana Gonzalez, City Clerk  
City of Woodland  
City Clerk Office  
300 First Street, 2nd floor  
Woodland, CA 95695

I am writing this in response to the request to raise the base rent on our homes at Idle Wheel Estates Mobile Homes.

I live on social security of \$1400 a month. As of now, at \$450 plus a month rent, P.G. & E., health insurance, prescription insurance, plus the cost out of pocket cost of medicines, life insurance, household expenses, gas, food and everyday expenses or unexpected expenses.

As of now, my son has to provide a substantial amount for me to continue to live or have this home.

Please investigate and take into consideration this unfair rent increase.

Thank you very much.

October 10, 2016

To Whom it may concern:

11-03-16 4:10:26 IN

I am writing in regards to your notice of rent increase. While I do appreciate living in your unit, I do not believe my budget can handle a rent increase at this time. I believe the amount of rent being payed right now is completely fair. Increasing the rent by such a drastic amount will not only hinder our family's, and the rest of the community's, financial stability, but it will also allow management to feel the ease of increasing rent by any amount at any given time in the future.

Sincerely,

A Concerned, working-class  
family

October 10, 2016

11-03-16 A10:25

To whom it may concern,

I Jesus Ortiz have been a resident in Idle wheel for a year and a half. I am making this letter to notify that I do not agree to the 45% increase you want to do to our monthly rent. I am still currently making monthly payments for my trailer, car and other monthly bills. I am a single father and my job does not provide more income for me to make sufficient money to pay for another higher bill. I have an understanding that idle wheel is based low income and I would like to continue if rent goes higher I wouldn't be able to make that payment I wouldn't like to not be without a home do to this increase. So I am asking that rent remains the same and no future increases occur. I have always been on time with my payments for the idle wheel and if this increase occurs I don't want my credit record to go bad. I hope with this letter there is something we can come to accordance and hopefully I see no increases to my monthly rent.

Thank you,

Jesus Ortiz

October 10, 2016

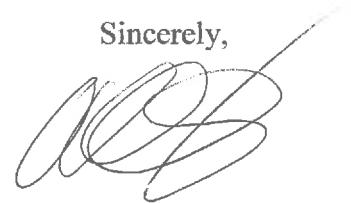
11-03-16 A10:25 IN

Dear: Manufactured Home Fair Practices Commission

As I'm sure, you have been notified of the recent application to the city of Woodland for a rent price increase on Idle Wheel Estates. I'm writing this letter because the increase of \$170-\$180 in monthly rent is too high for me and my family. This was a response to a recent road repaving work that was done and initially the owner told us that it would be a much lower rent increase. I work and so do both of my parents, my step-dad has two jobs just to make ends meet and this increase would really harm our financial situation. Everyone in my home works, except for my younger brother and I'm also a full time student. I'm writing this letter due to the fact that both of my parents can't read or write English.

However, my step-dad helps his other son with some bills for his apartment since he has a low paying job and can't support himself yet. Also, my step brother that lives with us, stays with his mom during the week for school. Therefore, my step-dad pays part of the rent at his mom's mobile home. My mom has a minimum wage job and so do I. Lastly, my step-dad has had two jobs for the last 12 years and with the economy improving, he was hoping he could finally quit one to be able to spend more time with us. However, this rent increase would prevent him from doing so. Overall, I thank you for reading this letter, I know it's a bit lengthy, but I hope you can take this into consideration before making your decision. Have a wonderful day ☺

Sincerely,



Alejandro Ruelas-Magana

Dan Sokolow,

11-03-16 A10:24 IN

My family consist of my wife, my 3 kids, my father in law and myself, a field worker. I make a total of \$31,000 a year while for 2 months I have no work due to the change of season. We pay water, garbage and sewer apart from our rent. If the amount of rent increases \$163.50 every month, making it a total of \$1962 a year, I wont be able to purchase my kids school and personal needs. This would create a negative impact on our daily way of life. I beg for humanity and understanding that not all of us posses of an easy life and reconsider the rent increasment.

Sincerely,  
Idle wheel renter

I'm a retire person. I only get 980 <sup>cc</sup> for month. My family is of 3 persons. With the rent increase. I won't be able to provided for them.

11-03-16 A10:23

Idlewheel Estates SPA 18- Oct 3, 2016

To Whom It May Concern  
My sister and I live together.  
Would not be able to afford and  
increase of Rent. We are on a fixed  
income now and can hardly make it  
now on what we make.

Thank you

Lynnette M. Vandeban

11-03-16 A10:23 IN

My sister and I live together  
and share expenses. But even  
living together and sharing expenses  
could not afford a rent increase.  
We are both self employed and  
have a bad time just paying what  
we have. We do have a fancy car  
and live on what we make pay  
check to pay check. Don't even work  
a 40 hrs a week. We are thankful  
for a roof over our heads. But would  
be hard for us with a rent increase.  
We don't even have a TV. And cut  
back a lot. Don't eat out much. Can't  
afford to. Please don't let them  
raise the rent. Don't know where  
my sister and I would live if we had  
to pay a high rent.

Thank you for your time.

e-mail pvlvrbba@aol.com Ann Vandeban  
Annette

11-03-16 A10:22

10-10-16

To whom it may concern,

We reside at the Idle wheel Estates and ask your support in stopping this outrageous increase by the owner. Since I've been living here there has been many rent increases but this time it is too extreme. Please note that if this increase takes place it will take a big toll on our family. Please keep in mind that many families still make payments on our homes and adding the rent increase would put us with a high payment similar to a mortgage and we would not be able to nor qualify for that. We are totally against a rent increase. Please help us.

Thank you in advance

10/10/16

To whom it may concern:

We are residents @ Idle Wheel Estates and are totally against a rent increase.

The reason I moved here is because it is affordable to my family but if rent increases too much my family and I would have to relocate. We understand inflation but this owner wants to keep raising the rent, He raised the rent about a year ago and then again a couple months ago. We ask for your support in there being a control on this matter.

Thank you in advance.

11-03-16 A10:21 IN

9 October 2016

Dear Mr. Sokolow,

I live in Idle Wheel Mobile Home Park, and have for 28 years. I am a retired nurse's aide, without retirement benefits, only social security. Most of the residents here and in Royal Palm Park have health issues, and can barely afford their insurance and medications, not qualifying for any type of assistance. The people living in these parks are elderly or young working families who don't qualify for government assistance.

An increase of 45% would take over half of my monthly income, and make my independent existence impossible. The increase would directly impact the city and Yolo County's ever increasing homeless population.

I pray the owners of the parks will reconsider this drastic increase and its impact.

Sincerely,  
Concerned Senior Citizen

October 10, 2016

To whom it may concern:

I am writing this letter in regards to the "Special Adjustment Application". I must clearly say that I AM NOT AGREEING with the new increase that is being requesting.

This new raise in my mobile home space rent will affect me in a tremendous way, obviously financially, because I do not make much money, I am a man surviving on my disability check and I must say that it would not be enough to cover this new rent increase plus all other expenses I have at home, such as the electricity bill, food, phone bill, gas and more.

It would also affect me personally and emotionally. You must know I am a 61 years old living with my 60 year old wife and this kind of new "adjustments" as you call it are very stressing, we are not young anymore to just get up and say that this is no issue, it would be very hard to try to get a job at our age, and for me it would be impossible because I am a disabled man.

So I am urging for this request for increase in rent to be stopped. Thank you.

Rafael A. Cazares.  
Rafael A. Cozars  
Martha Murillo de Cazares  
Martha M. Cazares

To whom It may Concern,

11-03-16 A10:20 IN

Hello my name is Rigoberto Garcia I am a resident of Idle Wheel mobile homes and I reside in space 136. The new proposed rent increase would greatly affect me and my family, we are a family of 6 living on a single income, all of my children go to school and as it is we are barely making ends meet living paycheck to paycheck. A rent increase of this quantity could result disastrous to not only my family but I'm sure for many other families. According to the park owner it is becoming more expensive for him to cover ther costs of water, however the cost of water is already included in our rent so we are really the ones paying for it. This new proposed rent increase is an object of greed and is directly taking advantage of the good people of this neighborhood. It is simply unfair and should be put a stop to.

Signed, Rigoberto Garcia

Octubre 16 del 2016

A quien corresponda:

11-03-11 11:20 IN

Por medio de la presente quiero dejarles saber que nos tiene muy preocupados a mi esposo y a mí la noticia que quieren aumentar la renta porque tal cantidad nosotros no podríamos pagar porque nuestro sueldo no es muy alto dado que no somos profesionistas somos obreros y ganamos poco y tenemos 4 hijos dos adolescentes, nuestra hija mayor está en el colegio y es un gasto alto para nosotros y próximamente nuestro hijo también asistirá al Colegio y para nuestros hijos es muy importante seguir viviendo aquí porque ellos se sienten seguros y cómodos aquí han crecido y han vivido la mayor parte de su vida tener buenos amigos y vecinos que se preocupan por ellos y los quieren mucho.

Antes de tomar una decisión les pedimos que por favor tomen en cuenta la situación de los que vivimos aquí porque de verdad nos afectaría mucho y no podemos pagar un lugar más costoso.

Atte. . . . .

Residentes de la Tráila  
# 29.

Celia Sánchez y

Fernando Baro

10-14-16

To Whom it may Concern,

I understand that you're raising  
the rent to \$160.00 per month, I  
live 27 years to Idda Wheel, and  
my rent was \$126.00 and my  
mobile home was single wide.

I live alone with my fix income  
and no other source of income.

I am only depending to my  
retirement from (Social Security)

Thank you  
for your  
understanding.

Merita Hoffman  
#33

To whom it may concern,

11-03-16 A10:19

As a 4-year resident of Idle Wheel, I have been very happy and content with our mobile home park. One of the most important reasons for my choosing to live here, at Idle Wheel, is the fact that it is one of the few places I have a place to call "home" on the very fixed income I have. As a retired woman, I have a very limited income from S.S. I have remained here at Idle Wheel Mobile Estates, comfortable and free of worry that anything might change. As you might understand, such an increase in rent would result, more than likely, in me losing the place I call home, or being forced to find an extra source of income, which, at my age is very difficult and stressful. I have been very happy with our facilities and services, such as our pool and carwash, and thus I don't comprehend what or how necessary additions or benefits are required to the point of raising our rent in such a manner. How many residents are being benefitted by the raise? I feel very worried and concerned with the hiking price in our rent, it will directly affect the living situation that for so many years I have felt secure in. I understand other resident might have incomes that allow them to comfortably remain at Idle Wheel, but I cannot avoid worrying about the next months and those of our neighbors who are also retired, or on very low income. Please keep our wonderful mobile estate park rents as reasonable as they have always been. I would be glad to participate in meetings, to motion for our rent to kindly be kept as equitable as it has been. I fear this increase in our rent will not have a positive effect on all residents.

Respectfully,

*Gracia Mendoza*

To M. Dan Sokolow and Ms. Ana Gonzalez

11-03-16 A10:18 IN

Hello, my name is Marcos Michel from Idle Wheel Mobile home Park Space #54 in Woodland. I'm writing this letter because we need your help, please help us to continue having the rent control, the owner wants to increase the rent about 45.09% it will increase my space rent by approximately \$163.50 per month.

This increase will affect my family financially, we bought our 1972 mobile home for \$60.000 about 8 years ago, we got a loan from the bank and we still owed \$36.800 to the bank my mortgage payment is \$436.24 per month which only \$142.38 go to the principal.

Please help us with the rent control.  
Thank you.

Best regards  
Marcos Michel.

11-03-16 A10:18

**Mi Nombre es Lourdes Torres**

**Octubre 26 2016**

**907 Bourn Dr SPC 47**

**Woodland CA 95776**

**A quien Corresponda :**

**Esta carta es para mostrar mi total desacuerdo en el aumento de la renta. Ya que para mi y mi familia esto seria debastador, el aumento propuesto es demasiado alto para nuestras posibilidades economicas.**

**Nuestro igreso es muy bajo. Por otra parte estoy en tratamiento de cancer, lo cual el estres de pensar en ese aumento de renta aumentaria mi estres por lo tanto mi enfermedad puede empeorar.**

**En mi familia somos 3, 2 adultos y una menor. Y el sueldo como ya dije es demasiado bajo, que apenas nos ajusta para los gastos primarios mensualmente.**


**Nuestro ingreso mensual es de aproximadamente \$1670.00 y los gastos aproximados son de \$1500.00 a \$1600.00.**

**Asi que suplico piensen y reaccionen bien en el aumento propuesto por el due~o de los terrenos, ya que este aumento si afectaria gravemente nuestras vidas diarias.**

**Millon de gracias por su atencion.**

**Atentamnete; Lourdes Torres**

**Telefono:530 9088183**



**Fecha 10-26-16**



11-03-16 A10:14 IN

October 20, 2016

TO: Manufactured Home Fair Practices Commission  
RE: Proposed Space Rent Increase  
At Idlewheel Mobile Home Estates

To whom It May Concern:

My name is Dave De Kreek and I am a Real Estate Broker and owner of De Kreek Realty in Woodland. I have been selling real estate for 33 years in Woodland and would like to comment on the proposed space rent hike in Idlewheel Mobile Home Estates located on Bourn Drive in Woodland. The ownership is proposing raising space rents by just over 45%, or \$160.00 to \$180.00 per month!!! This in my opinion would all but decimate property values and potentially turn the park into a grave yard of abandoned mobile homes. Additionally, the management of Idlewheel is perhaps the worst I have ever seen as is the person or persons in charge of repairs to the community. I have included some photo's to show exactly what I'm talking about. The laundry room has been out of order for months, street lights broken or globes missing for "years", the new fence along Bourn Drive was constructed extremely poorly, pool in bad repair, occupants allowed to store junk in highly visible areas to the community, occupants also allowed to keep their homes in bad disrepair and yards trashy and overgrown. You won't find these conditions in Leisureville, where, oh by the way their monthly dues are \$350.00 per month!!

In closing, the ownership of Idlewheel Mobile Home Estates needs to be sent a very strict message, REQUEST DENIED!! Failure to send this message to them will, in my opinion, have devastating repercussions. It has become very evident that the ownership doesn't care about the residents, the well being of the community as a whole or the care and condition of the park and its improvements and common areas and professional management whatsoever! What the management does care about, however, is their bottom line profits on the backs of their residents! Again, please send the ownership a very direct message, request denied!

Regards,

Dave De Kreek  
Real Estate Broker, De Kreek Realty  
(530) 662-1200

Recvd 11/28/16

Mr. Robert Noren

October 30, 2016

Dear Sir,

I am writing in response to the end-run attempt that the owner of the "Idle Wheels Estates" mobile home park has made in his approach to make a 'return on his investment'; his application for increased space rent to this commission earlier this year. I am a resident of this park, a tenant renting a room with an elderly owner of her mobile home. She inherited the home from her mother and needed my tenancy to help her make ends meet; being on a limited/fixed social security income. I, myself, have a limited income as i'm only a caregiver in the senior home care giving industry, that has no garaunteed hours. I presently work only 22 hours per week, having just lost a client. I expect this amount to increase, but cannot project too far forward as to what my own income will be if and when the rent is increased. We both have other expenses: a mobile home that is aging and needs work, our own debts and needs. Budgeting for 45% more extra rent, for a

park owner who cannot be honest about how to 'deal with his tenants', seems exceedingly ludicrous. He made improvements to the park, to be sure; most of which were much needed, and overdue, maintenance issues. The laundromat has been closed for months to the people who needed it most, and were still paying for it.

Also, a certain percentage of the people in the park are seniors on fixed income, namely social security, which has not seen a cola increase for awhile. The paltry one just given hardly counts. Many simply won't be able to afford any extra rent, nevermind 45%, with the cost of everything else going up. This is simply too exorbitant and greedy on the part of this owner..I resent his attitude toward his tenants, and his efforts to extort more money from us...money we don't have.

Thank you for your attention to  
this matter,

Lorrie J. Simon, space 26

A handwritten signature in cursive script that reads "Lorrie J. Simon". The signature is written in black ink and is positioned below the typed name.

Recvd 11/28/16

Mr. Tom Bills

October 30, 2016

Dear Sir,

I am writing in response to the end-run attempt that the owner of the "Idle Wheels Estates" mobile home park has made in his approach to make a 'return on his investment'; his application for increased space rent to this commission earlier this year. I am a resident of this park, a tenant renting a room with an elderly owner of her mobile home. She inherited the home from her mother and needed my tenancy to help her make ends meet; being on a limited/fixed social security income. I, myself, have a limited income as i'm only a caregiver in the senior home care giving industry, that has no guaranteed hours. I presently work only 22 hours per week, having just lost a client. I expect this amount to increase, but cannot project too far forward as to what my own income will be if and when the rent is increased. We both have other expenses: a mobile home that is aging and needs work, our own debts and needs. Budgeting for 45% more extra rent, for a

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Thank you for your attention to  
this matter,

Lorie J. Simon, space 26

*Lorie J. Simon*  
2

Recvd 11/28/16

Mr. Dan Sokolow,

October 30, 2016

Dear Sir,

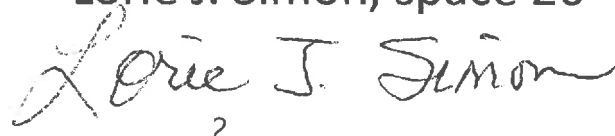
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Thank you for your attention to  
this matter,

Lorie J. Simon, space 26

A handwritten signature in cursive script that reads "Lorie J. Simon". The signature is written in black ink and is positioned below the typed name.

Recvd 11/28/16

Mr. Skip Davis,

October 30, 2016

Dear Sir,

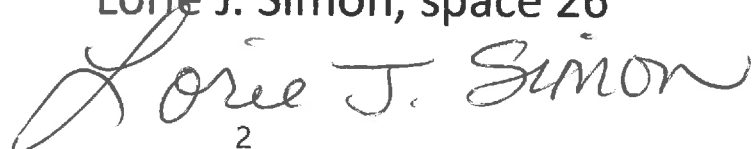
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Thank you for your attention to  
this matter,

Lorie J. Simon, space 26

A handwritten signature in cursive script that reads "Lorie J. Simon". The signature is written in black ink and is positioned below the typed name. There is a small number "2" written below the letter "i" in "Simon".

*Recyd 11/28/16*

Mr. Alan Gering

October 30, 2016

Dear Sir,

I am writing in response to the end-run attempt that the owner of the "Idle Wheels Estates" mobile home park has made in his approach to make a 'return on his investment'; his application for increased space rent to this commission earlier this year. I am a resident of this park, a tenant renting a room with an elderly owner of her mobile home. She inherited the home from her mother and needed my tenancy to help her make ends meet; being on a limited/fixed social security income. I, myself, have a limited income as i'm only a caregiver in the senior home care giving industry, that has no guaranteed hours. I presently work only 22 hours per week, having just lost a client. I expect this amount to increase, but cannot project too far forward as to what my own income will be if and when the rent is increased. We both have other expenses: a mobile home that is aging and needs work, our own debts and needs. Budgeting for 45% more extra rent, for a

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Thank you for your attention to  
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Lorie J. Simon, space 26

*Lorie J. Simon*  
2

*Recxd 11/28/16*

Mr. Bill Marcus,

October 30, 2016

Dear Sir,

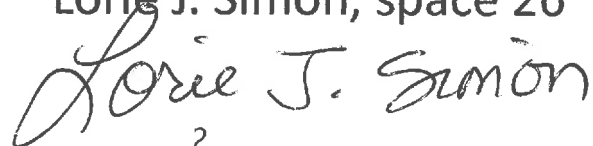
I am writing in response to the end-run attempt that the owner of the "Idle Wheels Estates" mobile home park has made in his approach to make a 'return on his investment'; his application for increased space rent to this commission earlier this year. I am a resident of this park, a tenant renting a room with an elderly owner of her mobile home. She inherited the home from her mother and needed my tenancy to help her make ends meet; being on a limited/fixed social security income. I, myself, have a limited income as i'm only a caregiver in the senior home care giving industry, that has no guaranteed hours. I presently work only 22 hours per week, having just lost a client. I expect this amount to increase, but cannot project too far forward as to what my own income will be if and when the rent is increased. We both have other expenses: a mobile home that is aging and needs work, our own debts and needs. Budgeting for 45% more extra rent, for a

park owner who cannot be honest about how to 'deal with his tenants', seems exceedingly ludicrous. He made improvements to the park, to be sure; most of which were much needed, and overdue, maintenance issues. The laundromat has been closed for months to the people who needed it most, and were still paying for it.

Also, a certain percentage of the people in the park are seniors on fixed income, namely social security, which has not seen a cola increase for awhile. The paltry one just given hardly counts. Many simply won't be able to afford any extra rent, nevermind 45%, with the cost of everything else going up. This is simply too exorbitant and greedy on the part of this owner..I resent his attitude toward his tenants, and his efforts to extort more money from us...money we don't have.

Thank you for your attention to  
this matter,

Lorie J. Simon, space 26

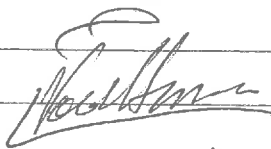
  
2

01-04-17 P12:58 IN

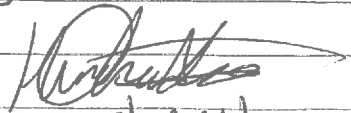
TO Whom it may concern,

My family and I have been living in this trailer for about nine years. We have really enjoyed the area as it has immensely helped us financially. After hearing about this possible rent increase, we have become disappointed and worried. We are unable to afford this possible rent increase because the head of the household is retired.

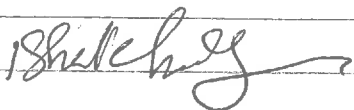
Sincerely,  
SPC #95



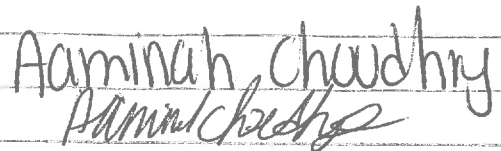
Noor Choudhry



Hina Choudhry



Ishrat Choudhry



Aaminah Choudhry

Long, Billy

Recvd  
1/25/17

January 24, 2017

City of Woodland  
Manufactured Housing Fair Practices Commission

RE: Possible "Special Adjustment Application", submitted by Waterhouse Management

To all Fair Housing Practices Commission members:

As an owner of a mobile home in Idle Wheel Estates, I received on July 21, 2016 a copy of a "Special Adjustment Application" from Waterhouse Management Corp. Up until that time, communications from them had been, and continue to be, sparse if at all. As I read the "Application" I discovered that they were suggesting an increase of 45.1%, and increase of approximately \$164.00 per month. This got my attention.

I am distressed that this is more than a prohibitive amount for most of the owners especially those who live on fixed and low incomes with many near or at the poverty level. An increase of this magnitude threatens their quality of life as well as even their ability to continue living here, along with serious concerns as to what the owners might do in the future and the stress accompanied with the entire process. I believe that the "Preamble" found in Sec. 16B-1, subsections (a), (b), (c) and (d) still apply.

Since that time I have reviewed chapter 16B of the City of Woodland municipal code (the Ordinance"), reviewed their application along with their financial statements and supporting documents for their "Application". I have also done extensive research into their backgrounds, as well as that of the Owners of Idle Wheel MHP, LLC as it relates to their involvement in mobile home park ownership.

The owners retained Hart King Law, Robert G. Williamson Jr. to coordinate their submission, who in turn secured the services of Michael St. John of St. John and Associates and Netzer and Associates. It is from an article written by Michael St. John that I believe sets the tone and intent of this Application. The following are direct excerpts from his Article:

WMA's consistent objective is to eliminate rent control where it exists and to prevent its spread to new locations. Sheila, Catherine, Doug, David, Julie, and the entire WMA team work toward these goals every day. In the meantime, roughly a hundred California cities and counties have rent control programs, meaning that thousands of park owners cannot raise rents enough to cover expense increases, that park net income doesn't keep up with inflation, and that property values stagnate.

1 of 4

Long, Billy

Another option for park owners to consider is to file an application for rent increases under what are called "fair return" rules. It is well established in law that while jurisdictions may impose rent control, they must allow park owners a fair return on investment. There is much debate about what this means, but - bottom line - park owners must be allowed rent increases that match expense increases and net income must be allowed to increase at the inflation rate. This is not all that park owners might want, but rent control programs should allow at least this much. Jurisdictions that violate this principle put their rent control programs at risk. Several California cities that failed to follow the fair return principle (Cotati, Capitola, Hollister, Santa Cruz, etc.) have been forced to abandon their rent control programs completely.

Some park owners are fatalistic about rent control, believing that there is nothing to be done. But in many cases there are entitlements to space rent increases that are there for the asking. The question is how to activate these entitlements?

The answer, I believe, is to know your rights and to go for them assertively. This requires careful attention to the details. Applications must be prepared expertly. Errors or omissions definitely count against the park owner. Competent applications achieve good results.

It is rarely worthwhile to go to court over rent increase requests, but the lawsuit possibility keeps cities honest. Being budget conscious these days, cities are concerned about lawsuits. Park owners are therefore well-advised to have an attorney involved so that the lawsuit option is there. I know most of the attorneys who work for park owners and can advise park owners about attorney selection.

In my reading of the backup support for the application, this appears to be their unstated goal, the elimination of our Ordinance. If this is their goal, perhaps this should be addressed individually in another venue, not as part of this application.

The following are items uncovered in a close review of the various submissions submitted. Due to the massive volume of information provided, I will categorize them according to their source and the possible changes necessary to comply with the "Ordinance" and provide accurate information for the "Application"

#### BALANCE SHEET AND INCOME STATEMENTS.

##### BALANCE SHEET

While complete financial were provided for the Period of the Return covering the "Application, the initial balance sheet submitted included previous balances, reflecting activity that preceded the period covered by the "Application", that included the initial entries for the purchase of Idle Wheel. Of special interest is the entry on the balance sheet account 1080, "CAPITAL RESERVE ACCOUNT" in the amount of \$498,167.00. Since the applicants did not provide either a schedule of activity prior to the "Application", nor did you receive copies of the Escrow Statement, I believe is a HUD-1, you really don't know the source. What we do know is that a substantial portion was used paying for the paving of the park, resulting in a 12/31/15 balance of \$138,683.10.

Long, Billy

It is possible that a provision was made in the final purchase of the property. If so, for the Special Application, the amount for the Paving should be deducted from the calculation, since it was paid for by the Seller and not the buyer.

Since they did not include these items, it might deem the "Application" as incomplete.

#### INCOME STATEMENT

After careful review, it appears to be complete. Of possible concern, however, is the extensive use of Journal Entries. To really verify activity, a schedule of Journal Entries should have been also provided by the "Applicant". This could possibly also deem the "APPLICATION" as incomplete.

#### BASE YEAR NOI (Net Operating Income Worksheet Part II)

Net Operating Income worksheet Part II, Section 1 (B) Base year operating expenses

##### 24.2 Bundled Utility Expense (a) Water

Included in this item is apparently water used to replace the water drained when the pool was re-plastered. While this is a valid expense, it is however it could be excludable for NOI since it is a one-time expense that is not ongoing. An estimated amount would be (in absence of the water bills paid) \$12,989.40

This could be challenged under (11-B,C) All operating expenses must be reasonable

Included in line 24.3 (b) listed as "Administrative Costs not mentioned"

In 16-B-13, Operating Expenses (OE)

Included in (11-B) Operating Expenses shall not include the following:

(4) Attorney's fees and costs incurred in proceedings before the commission, or in connection with legal proceedings against the commission or challenging this chapter: This would reduce operating expenses \$9,987.10

(11-B-C) All operating expenses must be reasonable

This amount includes checks to the maintenance person in the amount of \$19,333.36 for travel. While this person lives out of the area, it is probable that by agreement, he was reimbursed by the owners for travel expenses that should be considered Commute Expenses. With an allowance of \$500.00/Month for actual travel related to Idle Wheel operations, this would result in the reduction of operating expenses by \$13,333.36.

In addition to the above is a clerical error from account 5750. When the Excel Worksheet was prepared by the "Applicant" or his representative, it shows a "Not an NOI Expense" in the explanation column of \$1,655.00. The amount was not subtracted from the total expense

The cumulative reduction in operating expenses for the above would be \$37,964.86

Long, Billy

Using the above deduction amount, the NOI portion of the "Application" would result in the percent of rent increase to .101 as opposed the submitted application of .2244.

Regarding the "Reasonable Return on Property"

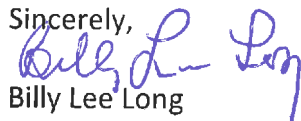
There are questions that need to be answered by the "Applicant" before any determination and calculation of the "Special Adjustment Application" and before a "Reasonable Return on Property" hearing if one is held. I will address a couple of key issues.

In my opinion, the most subjective issue in the entire application is the asserted fair rate of return of .0839. According to my understanding, this determines how well the Owner has used his money in handling his assets. It is used when considering credit worthiness and a consideration when the property is to be sold. In this application it represents over half of the total proposed rent increase.

I would hope that you would consider the above when determining whether a hearing is to be held, and if held, taken into consideration in determining the outcome.

I will gladly provide documentation for the statements made above.

Sincerely,

  
Billy Lee Long  
907 Bourn Dr., Spc 57  
Woodland, CA 95776

Received 2/8/17

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CALIFORNIA CODES  
HEALTH AND SAFETY CODE  
SECTION 18691

18691. (a) The department shall adopt rules and regulations that it determines are reasonably consistent with generally recognized fire protection standards, governing conditions relating to the prevention of fire or for the protection of life and property against fire in parks. The department shall adopt and submit building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 for the purposes described in this section within permanent buildings. The department, in consultation with local firefighting agencies, shall adopt and implement no later than January 1, 2002, regulations that require regular maintenance and periodic inspection and testing of fire hydrants in mobilehome parks.

(b) The regulations adopted by the department shall be applicable in all parks, except in a park within a city, county, or city and county that is the enforcement agency and has adopted and is enforcing a fire prevention code imposing restrictions equal to or greater than the restrictions imposed by those building standards published in the California Building Standards Code and the other state regulations adopted by the department.

(c) Notwithstanding the provisions of this section, the rules and regulations adopted by the department relating to the installation of water supply and fire hydrant systems shall not apply within parks constructed, or approved for construction, prior to January 1, 1966.

(d) Notwithstanding the provisions of this section, a city, county, city and county, or special district that is not the enforcement agency under this part may enforce its fire prevention code in mobilehome parks relating to fire hydrant systems, water supply, fire equipment access, posting of fire equipment access, parking, lot identification, weed abatement, debris abatement, combustible storage abatement, and burglar bars. Before assuming fire code enforcement in accordance with this subdivision, a city, county, city and county, or special district shall give the department a 30-day written notice. A city, county, city and county, or special district that enforces its fire prevention code pursuant to this subdivision shall apply its code provisions to conditions that arise after adoption of its fire prevention code, to conditions not legally in existence at the adoption of its fire prevention code, or to conditions that, in the opinion of the fire chief, constitute a distinct hazard to life or property.

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Source: [Official California Legislative Information](#)

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[Questions?](#) or [Comments?](#)

[Legal Disclaimer](#)

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March 8, 2017

03-03-17 P01:52 IN

City of Woodland  
Manufactured Home Fair Practices Commission

03-03-17 P01:50 IN

Dear Commission members:

As a resident of Idle Wheel Estates, I received on March 5, 2017 yet another notice that was scotch taped to my railing, notifying the homeowners that we would have a water shut-off from 9:00 a.m. to five 5:00p.m. on March 6,2017. This is one of many shut-offs we have received recently and over the five years I have been a homeowner. According to long term homeowners, this has been a problem for a long time.

After reviewing their financial statements, and finding items in it that should be deducted for NOI purposes, this, no doubt, will show up in the books as repairs and maintenance, and be charged to the homeowners as "Repairs and Maintenance" expense, thus appearing as justification for yet another rent increase in the near future . This, in my opinion, is not "Repairs and Maintenance", but rather a band aid approach to correct an ongoing deterioration of the water delivery infrastructure. This may have happened in the current calculations of NOI in the owner's current application for a special adjustment.

They will call it part of the "Deferred maintenance", but it is in reality is a sign of neglect from prior owners, including Mr. Clayton and Mr. Hoon, and perhaps even prior to the prior ownership. Their neglect has caused the situation. They are attempting to repair a problem that is a much bigger issue and force the homeowners to pay for it. This approach is mentioned in the St. John article I have sent you previously.

The difference is that if they can force the homeowners to pay for it, cloaked as repairs and maintenance in the NOI process, or they can amortize the expense ,they avoid the necessity of the homeowner's majority approval.

They have also recently built a playground, again without our approval , which is allowed under the ordinance depending upon how they characterize it . I daily wonder what they will attempt next.

If, in fact, we have a major infrastructure problem, they need to go to the homeowners to agree to pay for it. The capacity of the homeowners to do so is seriously in doubt, however. This, in addition to the apparent same problem with the sewer system even compounds the problem.

I hope you will consider the above when discussing the special application that will be before you in the March 29, 2017 Hearing.

Bill Long  
907 Bourn Drive Spc 57  
Woodland CA 95776

RECEIVED

MAR 13 2017

*City Manager's Office*

March 3, 2017

Dear Manufactured/Mobile Home Fair Practices Commission

My name is Mavis Schambaugh and I reside at 907 Bourn Drive, #6 inside Idlewheel Mobile Home Estates in Woodland. I wanted to express my extreme fear of the proposed 45% space increase that the ownership has submitted an application for. If it is not bad enough that our Park is in about as poor a condition as many of us have ever seen, now we must live in fear of a space rent increase that will, without a doubt, lead to further deterioration of the Park and negatively impact our property values. Nobody will want to be saddled with monthly space dues of approximately \$525.00 - \$550.00 per month when you can go around the corner to the beautiful community of Leisureville Mobile Home Estates and pay only \$350.00 per month!!

We won't be able to give our homes away, much less sell them to get whatever equity we "might" have left in them!! This is a nightmare for those of us who are retired and living on very modest fixed incomes.

If this Park was absolutely beautiful, well managed and in excellent condition, maybe we could possibly see a space rent increase but certainly nowhere near the proposed 45% which we feel is bordering on criminal and perhaps a case can be made for Elder Abuse!

Please stand up for what is right our community is depending on you all.

Sincerely,



Mavis Schambaugh<sup>eh</sup>

03-15-17 11:30 IN

March 13, 2017

Dear Commission,

I know that the commission knows that there are several senior citizens, young couples and many races living in Idle Wheel Estates. The most are struggling. ~~to~~ make ends meet.

I am 94 and have lived in Idle Wheel Estates since July 1977. I have been retired for 39 years and am on a fixed income. I can no longer drive and have to pay for transportation. I have to have shots every two months to keep the vision I do have, but even so shots deteriorating. I need the commissions consideration to help me stay a while longer in my home. I'm sure there are others with stories but are somewhat younger and proud to come forward.

Thank you for considering  
Naomi Barrow



Mrs Naomi Barrow  
907 Bourn Dr Spc 206  
Woodland CA 95776

P.S. The FIRE HYDRANTS in the park need to be refilled so the city fire department can hook up to them  
The laundry has been closed  
Guest parking is still  
Use of the club house is almost out as there is no parking available.

March 7, 2017

03-20-17 P12:10 IN

To Whom It May Concern,

I live at Idle Wheel Mobile Estates Space 70, whoever response to this letter, I don't agree that the rent should be raised. Because of my ill, and I'm only receiving SSI and I don't receive enough income to pay my rent. I only have enough to pay my P G & E, food, gas and other bills. Please call for more information: 530-554-5161

Thank you,

Alvaro Avina

Alvaro Avina



3/6/2017

A quien corresponda:

03-20-17 P12:12 IN

Esta carta es para peticion y protesta sobre el aumento que Idle Wheel Estate quiere hacer a la renta, ya que para nuestro presupuesto seria debastante.

Es demaciado alto el aumneto y eso perjudicaria nuestro presupuesto demaciado.

Nuestro ingreso no es muy alto. Es aproximado \$1650.00 mensuales, de los cuales los gastos son de \$1500.00 a \$1600.00 mensualmente. Lo cual nos seria imposible cubrir.

Por otra parte Yo estoy pasando por problemas de cancer de seno desde el 2010.

Ademas el mantenimiento que tienen desde el ultimo cambio de dueno esta mal, por no decir pecimo.

Por otra parte, en lo personal hemos tenido problemas con el terreno en nuestro espacio. Todo esto se los deje saber en la oficina por palabra en el ano 2012 si mal no recuerdo. A lo cual la persona encargada en ese tiempo me dijo que era responsabilidad de nosotros. Despues de otro tiempo le volvi a decir a la nueva encargada de la oficina la cual presto un poco mas de atencion.

Pero hasta el 7/10/2015 nos dieron un papel a llenar para que explicaramos cuales mejoras pediamos se hicieran en el parqueo. La cual ADJUNTO COPIA.

Y aqui explico un poco hacerca de los problemas con mi espacio.

Uno de ellos es que la tierra debajo de la traila se esta sumiendo o dividiendo, no sabria especificar bien, lo cual a ocasionado en desnivel dentro de mi casa. Algunas ventanas no cierran correctamente, tenemos una ventana rota o craqueada por esa razon, las paredes tambien tienen craqueadas y tambien el cemento afuera en el drive way esta mal y por el frente de la traila el cemento del patio tambien con desnivel muy notorio y peligroso el cual ya fue reparado el 2016 no recuerdo bien la fecha, ese arreglo que fue hecho no quedo como deveria.

Por otra parte los soportes debajo de la tarila no estan bien debido a eso estan sueltos.

Junto con esta carta e puesto las fotos tomadas a todo lo que me e referido, las cuales tambien fueron enviadas por correo electronico a la oficina.

Pero hasta hoy solo lo respecto al cemento de enfrente fue reparado y un poco el desnivel debajo de la traila en los soportes los cuales ya estan otra vez a desnivel por que la tierra sigue con el mismo problema sumiendose.

Gracias por su atencion y coomprension.

Lourdes Torres  
907 Bourn Dr Spc 47  
Woodland CA 95776

Tel casa: (530)666 6512 Cel: (530)908 8183



Fecha: 3/6/2017

NOTA.: Espero mi voz y la de todos los inquilinos se o seamos escuchados.

03-20-17 P12:12 IN

This letter is for petition and protest about the increase that Idle Wheel Estate wants to make to the rent, since for our budget it would be devastating.

The increase is too high and that will hurt our budget too much.

Our income is not very high. It is approximated \$ 1650.00 monthly, of which the expenses are from \$ 1500 to \$ 1600 monthly. Which would be impossible for us to cover. On the other hand I'm going through pr breast cancer problems since 2010.

Also the maintenance they have since the last change of owner is wrong, not to say pecimo.

On the other hand, personally I had problems with the terrain in our space. All this let them know in the office for word in the year 2012 if not remember. To which the person in charge at the time told me that it was our responsibility. After another time I told the new manager of the office which I pay a little more attention.

But until 7/10/2015 they gave us a paper to fill out so we could explain what improvements we wanted to make in the parking lot. ATTACHED COPY.

And here I explain a little about problems with space.

One of them is that the ground below the trailer is slumiendo or dividing, could not specify well, which to ocasionado in unevenness inside me house. Some windows do not close properly, we have a cracked or cracked window for that reason, the wall ones also have cracked

And also the cement outside in the drive way is bad and the front of the trailer cement yard also with very noticeable and dangerous slope which was already repaired in 2016 I do not remember the date well, that arrangement that was made not what I am like causing while I drive on it.  
(Diveria)

On the other hand the supports under the trailer are not well due to that they are loose.

Along with this letter and put the photos taken to everything I referred, which were also sent by email to the office.

But how much only the cement in front was repaired and a little unevenness under the trailer in the supports that are already again uneven because the earth continues with the same problem disappearing.

03-20-17 P12:12 IN  
TO WHOM IT MAY CONCERN:

My name is Donna Cotton I am an 86 year old widow who lives on a fixed income of social security and a small retirement check. I have lived in Idle Wheel mobile home estates for 14 years. When I moved in this park it was in fair condition. The park was sold to new owners and neglected for years. No maintenance at all, the streets had big chunk holes the speed bumps were falling apart and there was a water leak in the road for at least four years. An attempt was made to repair this water leak numerous times but never successfully. Each time our water supply was turned off without proper notice!! I understand the previous owners where a partnership and that partnership was changed to single owner with each partner taking sole ownership of a different park. The new owner of this park is now doing the maintenance that should have been done when owned in the past. The expense of this is trying to <sup>pay on</sup> ~~make~~ to residents. By way of a large rent increase. This is not possible we can not afford to pay for their previous neglect.

To whom it may concern

03-20-17 P12:47 IN

We would like to bring this issue to your attention on what is going on at Idle Wheel trailer park located at 907 Bourn Drive Woodland Ca, 95776. the owners of this community have express their interest to increase the monthly space rent by 45.09% this will increase the monthly space rent to around \$600 +/-.

If this change takes place the home owners will be greatly affected in many ways

- Living expenses will be extremely difficult to meet.
- The value of our homes will decrease dramatically.
- Many of the home owners are retired and/or about to retire therefore increasing the space rent will make it difficult to pay other basic needs (ie, food, utilities, medical bills etc.)
- Less people will be interested in buying homes in this community due to high monthly space rents.
- People that are still paying their mortgage will find themselves in hardship trying to make their monthly mortgage payment and a high space rent plus other basic monthly needs.
- There are many sewage problems that have not been resolved.

These are a some of the issues that we are experiencing just to name a few, but there are a lot of other problems that many of us home owners share in common in the community.

I ask that you take all this in to account while considering rising our rent space since this will greatly affect everyone one in this community in a very negative way.

This is our home where our kids, friends, neighbors, parents and elderly live, please help us keep this.

Sincerely the whole community of Idle Wheel

February 25th 2017

A quien corresponda.

03-20-17 P12:48 IN

Por medio de este medio quiero hacer de su conocimiento lo que esta sucediendo en la comunidad de casas moviles Idle Wheel ubicada el 907 Bourn Dr en Woodland , Ca 95776, los duenos de dicha comunidad quieren aumentar drasticamente el monto de renta en un 45.09 % esto conyevaria a una renta del piso de \$600 +/-

Si esto llegaria a suceder los propietario de casa moviles seran afectados gravemente de muchas formas :

- El costo de la vivienda seria mas dificil.
- El valor de nuestras casa se veria afectado y por ende vajaria drasticamente de valor de estas mismas.
- Muchas de las personas que viven en esta comunidad son personas de la tercera edad o proximas a retirarse y sera dificil cubrir el costo de la renta y sus gastos personales basicos (comida, utilidades etc)
- Menos personas querran comprar o vivir bajo esta situacion debido al alto cobro por espacio
- Tambien las personas que aun estan pagando sus casa seria afectados economicamente por el pago de casa, y el pago tan elevado de renta del piso, mas los gastos personales basicos (comida,utilidades etc)
- Ademas tenemos serios problemas de drenaje varios de nuetros vecinos tienen problemas con sus tuberias se rompen , tiran agua y esto nunca a atraido la atencion del o de los duenos de la comunidad para darle una solucion permanente.

Estos puntos son solo por nombrar algunos pero aun hay muchas inquietudes y preocupaciones de parte de cada uno de los que vivimos en esta comunidad.

Pido de la manera mas atenta que por favor tomen encuesta nuetras preocupaciones y que consideren que un aumento de renta afectaria a todos y cada uno de los que vivimos aqui.

Este es nuestro hogar donde nuestros ninos , amigos, vecinos, padres, ancionos viven ayudenos a conservarlo.

sinceramente toda la comunidad de recidentes de Idle Wheel.

Febrero 25,2017

House #

Signature

03-20-17 P12:48 IN

118 530 761 1995

Frieno Luilla

# 13

Suz Estre Arico

107

Jeri Cabo

19

Moses Michel

# 20

Laura Ayala

# 21

Paulo Samuel

# 95

~~Theresa~~

# 25

~~Theresa~~

# 26

Lorie J. Smith

# 26

Norma M. Kelly

# 27

LD

# 86

Marcia Lopez

# 85

Sandra Johanna

# 84

Maria Bero

# 28

Eduardo Rojas

# 29

Fernando Baro

# 64

Alfredo Chavez

# 32

Yvonne

# 63

Ornela Mena

# 62

Rodolfo Herrera

House #

Signature

03-20-17 P12:48 IN

<del>34</del>	GRACIA <del>Mendoza</del>
37	Martin Appeld
39	Maria Ventura
106	Patricia Medina
98	Raul Padilla y Carmen Ibanez
97	Cristina Batiz
16	Rafael A. Cozart
129	Claudia Vargas
126	Solomon & Lydia Lopez
60	Juan Carlos Carrillo
264	Juan Cervantes y Maria T. Borjas
41	Isidro Camarillo Carrera y Juana Canchola
67	<del>Francisco</del> y Francisco J. Velazquez
203	Juan Alvarez & Juan Pablo Alvarez
#54	Marcos A. Michel
94	<del>Francisco</del> y Luis Miguel Medina
#21	Juan Manuel DANIEL SANDOVAL
114	Jose Hernandez
25.	Adrian Garcia
14	Ramon Arriaga

House #

Signature

03-20-17 P12:48 IN

199	J Carlos Lopez
166	Alma Camacho
83	Arcelia Naranjo and Roberto Naranjo
112	Reynaldo Sororio
267	Stefanie Rubalcava Naranjo
94	Luis Miguel Medina
137	Salvador Covarrubias
132	GRACIELA COVARRUBIAS
29	Eduardo Ruelas
66	ROBERT CHRISTENSEN
66	WILLIAM JJ
57	Bill Long
87	Jose Izquierdo
202	Joe Moya
262	Carlos Cervantes
61	Bonifacio Rodriguez
709	JAVIER CADENAS
200	Ramon Gonzalez
119	Jesus Perez
136	Rigoberto Garcia

House #

Signature

03-20-17 P12:48 IN

117

MARIA PEREZ

109

Rosa Torres

110

Alida Alcantara

1255

Fabian?

114

Magdalena Hernandez / Mario Estrada

111

Alexandro Rivera

260

Ernestina Diaz

262

Lucy Ramirez.

207

Stefania Rupalcava Naranjo

1

Hito Ojeda

2

Luz Yuzmar Ruben Narayo

121

Joselinda Dulari

140

Alexandrina Ramos

134

Angel Murillo

125

Karol Chavez

88

Enrique Gomez

256

Josefina Ibarra P.

117

Leonel Mendoza

261

Roberto Guzmán

112

Reynaldo Soriano

House #

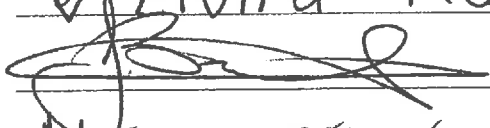
Signature 03-20-17 P12:48 IN

51

55

84

Alvira Rosales



Miriam Touw

Teresa Lizca

Javier Soria

Tobin Smith  
RP # 15  
666-5642

City of Woodland  
Manufactured Home Fair Practices Commission  
NET OPERATING INCOME  
ANNUAL ADJUSTMENT APPLICATION

03-22-17 P12:14 IN

Park Name: IDLE WHEEL ESTATES

Owner/Authorized Representative: PHILIP HOON

Mailing Address: 1010 San Francis Drake Blvd, Kentfield, CA 94904

Telephone: 415-454-5131 Facsimile: 415-454-5661

PART I

THE NOI ANNUAL ADJUSTMENT FORMULA

Section 1: Overview of the NOI Adjustment and Procedure

(a) In general, the Net Operating Income (NOI) Annual Adjustment provides for an adjustment to a manufactured home park's space rent ceiling, and individual space rents, based upon the percentage increase in the Consumer Price Index (CPI) during the full twelve (12) calendar months immediately preceding the application date (also known as the "Base Year"). The park's NOI, as determined from the "gross income" and "operating expenses" (as defined) during that 12-month period, is adjusted upward by the increase in the CPI multiplied by the smaller of (a) the percentage of the CPI that represents the housing component of the CPI, or (b) 40%. Once the Base Year NOI is adjusted, the park's estimated operating expenses are added to the Adjusted NOI to determine the allowable Adjusted Gross Income. Finally, all park income other than from space rents is deducted from the allowable Adjusted Gross Income for the park, resulting in the park's Adjusted Space Rent Ceiling. The amount of the increase in the space rent ceiling is distributed equally to all spaces subject to the space rent ceiling.

(b) An NOI Annual Adjustment to the space rent ceiling is allowed only as provided by Chapter 16B of the Woodland City Code. This application and worksheet have been provided for the convenience of the applicant. Applicants should consult the terms of Chapter 16B to determine whether and to what extent various expenses and sources of income may be claimed on the worksheet below. Some cross-references to Chapter 16B have been provided in the worksheet, but the applicant should rely only on the provisions of Chapter 16B directly.

(c) To be eligible for an NOI Annual Adjustment, an original and ten (10) copies of the completed application, including supporting documentation, must be submitted to the City Clerk's office no later than March 1 of the year in which the adjustment is sought. Applicants may contact the staff of the City of Woodland Manufactured Home Fair Practices Commission for assistance in completing the application.

(d) Applicants must provide documentation for the gross income and operating expenses claimed on the application worksheet. Under Chapter 16B, many of those items require information and documentation beyond that requested in this application. It is the applicant's

responsibility to attach all documentation required by Chapter 16B to support claimed items of income and expense.

(e) The application must be accompanied by an affidavit from the park owner or his/her designee declaring that copies of the application have either been personally served on each manufactured home resident (service on one adult member of a manufactured home household shall constitute service on each adult member thereof) or mailed first class postage prepaid to each manufactured home residence in the park. (See Part V, "Affidavit of Service".)

(f) The application also must be accompanied by two (2) sets of 4"x 10" envelopes with first class postage affixed, pre-addressed to each manufactured home residence in the park.

(g) The City Clerk shall not accept an NOI Annual Adjustment application for filing unless it is accompanied by the affidavit of service or mailing, the required envelopes, and payment of the NOI Hearing Fee as established by resolution of the Woodland City Council.

#### Section 2: Gross Income

(a) Gross income includes both space rents and all other income generated by the park. All sources of income must be reported in the application.

(b) Gross space rent includes all rental income generated by the park assuming 100 percent occupancy. Thus, the applicant should initially include as income the rents of all spaces in the park, even rent for vacant spaces and uncollected rents from occupied spaces. Deduction from gross income is then provided for unrealized space rents due to vacancy and bad debts to the extent the same are beyond the park owner's control. Uncollected space rents in excess of three percent (3%) are presumed unreasonable unless established otherwise and must be included in the park's gross income.

(c) Gross income also includes "other income" generated as a result of the operation of the park, including but not limited to laundry and recreational vehicle storage. Other income also includes gross receipts for services actually rendered, as well as for utility services that are separately billed to residents *other than* gas or electricity.

(d) With respect to submetered gas and electrical services, the *net* income to the park resulting from the sale of natural gas and electricity separately billed to the residents of the park is treated as a component of gross income. The amount of income from such sale is the difference, if any, between what the park owner charged the residents for gas or electrical service and what the utility company charged the park owner for the same services.

#### Section 3: Operating Expenses

(a) Amounts for operating expenses specifically allowed by Chapter 16B should be entered on the lines designated in the application worksheet. Many of these claimed expenses are limited by the terms of Chapter 16B. Applicants should consult Chapter 16B in connection with completing the "operating expenses" portions of the application worksheet.

(b) To be claimed, other operating expenses not expressly enumerated in Chapter 16B must be specifically described and documented. Utility service fees and charges may be claimed as "operating expenses" only if for services included in the space rent (*i.e.*, not separately charged to residents) or for utility services *other than* natural gas or electricity which are separately billed to residents (*e.g.*, sewer, water, garbage, cable television, etc.)

(c) Chapter 16B, Section 13(B) expressly excludes certain costs from being claimed as operating expenses even though actually paid. The applicant must not attempt to claim those prohibited costs as operating expenses on the application worksheet.

#### Section 4: Determining the NOI Adjustment

(a) The actual NOI is calculated by subtracting operating expenses from gross income during the previous twelve full months. However, where the actual resulting NOI was less than fifty percent (50%) of gross income, as defined, Chapter 16B establishes a presumption that the owner was not receiving a fair and reasonable return on the investment in the park. In such a case, the actual NOI is adjusted upward to equal the operating expenses.

(b) The NOI Annual Adjustment allows a park owner to increase the park's space rent ceiling to the extent necessary to increase the park's NOI of the prior 12-month period by a specified portion of the increase in the CPI during the same period.

(c) To determine the percentage increase in the CPI during the 12-month Base Year period, subtract the CPI figure reported for the month immediately preceding the Base Year from the reported monthly CPI figure for the last full month prior to the date of the application. Then divide the result by the reported CPI for the month immediately preceding the Base Year. The Commission staff will provide the appropriate CPI figures upon request, including the appropriate percentage increase.

(d) Next, multiply the percentage increase in the CPI from (c) above by the *smaller* of (1) the percentage of the CPI representing the housing component of the CPI, or (2) 40 percent. The result is the allowable percentage adjustment to the Base Year NOI.

(e) Multiply the allowable percentage adjustment from (d) above by the Base Year NOI to determine the size of the NOI Adjustment. Then, add the NOI Adjustment, the Base Year NOI, and the Estimated Operating Expenses to determine the new allowable "Adjusted Gross Income."

(f) Finally, to determine the Adjusted Space Rent Ceiling, subtract from the Adjusted Gross Income all "other income," and add an allowance for vacancies and bad debts at the rate applicable to the preceding 12 full months, subject to a maximum of three percent (3%). The result is the Adjusted Space Rent Ceiling that includes the NOI Adjustment. The percentage increase of the entire park's Adjusted Space Rent Ceiling is then applied to the space rent ceiling for each individual space subject to space rent control.

*Worksheet begins on following page.*

**PART II**

**NOI ANNUAL ADJUSTMENT WORKSHEET**

**Section 1 Base Year NOI**

To determine the Base Year NOI, complete the following information in Section 1 using data from the full twelve (12) calendar months immediately preceding the date of this application (the "Base Year"). First, specify the first and last months of the Base Year:

First month: \_\_\_\_\_, 200\_\_      Last month: \_\_\_\_\_, 200\_\_

**A. Base Year Gross Income**

- |   |                |
|---|----------------|
| 1. Space rents actually collected from tenants  | <u>539 605</u> |
| 2. Uncollected space rents due to vacancy beyond the park owner's control   | <u>14705</u>   |
| 3. Uncollected space rents due to bad debts beyond the park owner's control   | _____          |
| 4. <b>Gross space rents.</b> Add lines 1 through 3 and enter result here.   | <u>554310</u>  |
| 5. Net income from sale of natural gas separately billed to park residents [See Sec. 16B.12(c)]   | <u>0</u>       |
| 6. Net income from sale of electricity separately billed to park residents [See Sec. 16B.12(c)]   | <u>0</u>       |
| 7. All other gross income generated by operation of the park (including payments for utility fees and charges billed separately to park residents by park management).<br>[See Sec. 16B.12(b)] Specify each source of income: |                |
| a. <u>Water Revenue</u>   | <u>23 131</u>  |
| b. <u>Sewer Revenue</u>   | <u>25 797</u>  |
| c. <u>Leasehold Revenue</u>   | <u>19 604</u>  |
| d. <u>Courtesy Fees</u>   | <u>3600</u>    |
| e. <u>Parking Permits</u>   | <u>3315</u>    |
| f. <u>Storage</u>   | <u>4100</u>    |
| Enter total 7a - e:   | <u>79547</u>   |
| 8. <b>Total other income.</b> Add lines 5, 6 and 7 and enter result here.   | <u>79547</u>   |

Utility Revenue  
68532

Other Income  
11015

9. Enter sum of lines 2 and 3. 18905
10. Multiply line 4 by .03 (3 percent). 16755
11. **Allowable uncollected space rents.** Enter the *smaller* of lines 9 or 10 as a *negative* number [See Sec. 16B.12(d)]. (14705)
12. **Base Year Gross Income.** Enter the sum of lines 4, 8 and 11. 621302
- 619152

**B. Base Year Operating Expenses**

13. Real property taxes and assessments 47009
14. Management expenses, not to exceed 5% of line 12 [See Sec. 16B.13(A)(2)] 30958
15. Normal repair and maintenance [See Sec. 16B.13(A)(3)] 16909
16. Reasonable value of uncompensated owner-performed labor, not to exceed 5% of line 12 [See Sec. 16B.13(A)(4)] 12383
17. Operating supplies [See Sec. 16B.13(A)(5)] 1688
18. Insurance premiums [See Sec. 16B.13(A)(6)] 14023
19. Other taxes, fee and permits 4530
20. Deposit to reserve for replacement of necessary capital improvements, not to exceed 5% of line 12 [See Sec. 16B.13(A)(8)] 30958
21. Expenditures for necessary capitol improvements exceeding reserves for replacement [See Sec. 16B.13(A)(9)] 0
22. Involuntary refinancing of mortgage or debt principal [See Sec. 16B.13(A)(10)] 19993
23. Increased payments on lease of park land [See Sec. 16B.13(A)(11)] 0

24. Other operating expenses

24.1. Unbundled Utility Expenses. Utility service fees and charges which are assessed by the utility and separately billed to park residents for the following services, if applicable:

Liquid propane gas	<u>                    </u>
Water	<u>21800</u>
Cable television	<u>                    </u>
Garbage or refuse service	<u>19000</u>
Sewer service	<u>19975</u>

Enter subtotal of 24.1: 60775

24.2. Bundled Utility Expenses. Service fees and charges for utilities which are provided to park residents at no additional charge. Specify:

a.	<u>Gas &amp; Electricity</u>	<u>7381</u>
b.	<u>Garbage</u>	<u>11258</u>
c.	<u>Sewer</u>	<u>2200</u>
e.	<u>Water</u>	<u>2200</u>

Enter subtotal of 24.2: 23039

24.3. All other operating expenses. [But see Sec. 16B.13(B)]. Specify:

a.	<u>Employee Cost (PR, 40, PR Tax)</u>	<u>42154</u>
b.	<u>Administrative Expenses</u>	<u>4725</u>
c.	<u>Professional Expenses</u>	<u>21752</u>
d.	<u>                                    </u>	<u>                    </u>
e.	<u>                                    </u>	<u>                    </u>

Enter subtotal of 24.3: 68631

Line 24 total [add 24.1, 24.2, and 24.3 subtotals]: 152445

25. Total Base Year Operating Expenses. Enter sum of lines 13 through 24: 330 895

**C. Resulting Base Year NOI**

26. Subtract from line 12 the amount in line 25.  
Enter here as the actual base year NOI.

288 257

27. Enter the amount from line 25.

330 895

28. Base Year NOI.

Enter the *larger* of lines 26 or 27. [See Sec. 16B.9(b)]

330 895

**Section 2 Determining the Adjusted NOI**

29. Enter the reported monthly CPI for the full month  
prior to the date this application was submitted.  
[Provided by Commission staff]

201.70%

30. Enter the monthly CPI reported for the month  
immediately preceding the 12-month period  
specified in Section 1 (page 4).  
[Provided by Commission staff]

194.50%

31. Subtract line 30 from line 29 and enter here.

7.20%

32. Divide line 31 by the number in line 30 to determine  
the percentage increase in the CPI. Enter as a four-  
digit decimal (e.g., 0.0678).

3.70%

33. Multiply line 32 by the *smaller* of (a) the percentage  
of the CPI that represents the housing component  
of the CPI (provided by Commission staff) or  
(b) 40%, to determine the allowable percentage  
increase of the Base Year NOI. Enter as a four-  
digit decimal (e.g., 0.0271).

1.48%

34. Multiply line 28 by line 33 to determine the dollar  
amount of the allowable NOI adjustment.

\$ 4900

35. Adjusted NOI. Add lines 28 and 34, and  
enter the result here.

\$ 335 795

### Section 3 Determining the Adjusted Space Rent Ceiling

**36. Estimated Operating Expenses.** If the subtotal on line 24.1 is greater than zero, leave this line 36 blank and skip ahead to line 36.1 now. If the subtotal on line 24.1 is blank or zero, multiply the Base Year Operating Expenses on line 25 by the sum of 1 plus the percentage increase in the CPI found on line 32 (e.g.,  $1 + 0.0678 = 1.0678$ ), enter the result here, and skip to line 37:

**36.1.** If the subtotal on line 24.1 is greater than zero, subtract the amount on line 24.1 from the Total Base Year Operating Expenses found on line 25, enter the result here, and continue to line 36.2:

330895

**36.2.** Multiply line 36.1 by the sum of 1 plus the percentage increase in the CPI found on line 32 (e.g.,  $1 + 0.0678 = 1.0678$ ), enter the result here, and continue to line 36.3:

103.707

**36.3.** Add the subtotal on line 24.1 to the amount on line 36.2, and enter here:

**37. Allowable Adjusted Gross Income.**

Add the Adjusted NOI found in line 35 to the Estimated Operating Expenses found either on line 36 (applicable only when specified utility service fees and charges are *not* separately billed to park residents) or on line 36.3 (applicable only when specified utility service fees and charges *are* separately billed to park residents):

678939

**38.** Subtract from line 37 the amount of "other income" found on line 8 and enter result here as the new gross space rent ceiling before allowance for uncollected space rents.

678939

**39.** Divide line 1 by line 4. Enter here as a four-digit decimal (e.g., 0.9876).

0.9735

**40. Adjusted Space Rent Ceiling.**

Divide line 38 by line 39 or ".97", whichever is larger, and enter result here.

697441

## Section 4 Distribution of the Space Rent Ceiling Adjustment

### 41. Space Rent Ceiling Adjustment.

Subtract from the Adjusted Space Rent Ceiling on line 40 the base year gross space rents on line 4.

143 131

42. Divide line 41 by line 4 and enter result here as a four-digit percentage increase in the space rent ceiling (e.g., 0.0475).

25.822%

43. Upon approval of this application, the Commission will provide a schedule of the new space rent ceiling for each space in the park that is not exempt from the rent ceiling, by increasing the current base rent for each park space by the percentage on line 42.

### PART III

#### VERIFICATION

1. I hereby certify that I am authorized to submit this application and supporting documentation on behalf of the owner of the manufactured home park identified above.
2. I declare under penalty of perjury under the laws of the State of California that the information provided on this application, including Part IV "Documents Submitted In Support Of Application", attached hereto, is true and correct to the best of my knowledge.

Philip Hoon  
Name (print)

[Signature]  
Signature

Owner  
Capacity

2/28/06  
Date

*Please see next page to itemize  
attached documentation.*

**PART IV**

**DOCUMENTS SUBMITTED IN SUPPORT OF APPLICATION**

In order for an NOI Annual Adjustment application to be approved, applicants must submit documentation in support of all figures entered on the NOI worksheet.

As support for the claimed gross income, applicants should submit an income statement for each time period relevant to that portion of the application. All income generated by the park, as defined by Chapter 16B, must be specifically itemized. As support for claimed operating expenses, the applicant must submit documentary evidence for each item claimed, or part of item claimed. Supporting documentation should be in the form of a standard business record, *e.g.*, receipts, copies of cancelled checks, *etc.* that indicates that the amount claimed was paid by the park for the purpose stated on the worksheet.

The Commission is authorized to request additional documentation in the event it determines that the evidence submitted is inadequate.

**DOCUMENTS SUBMITTED IN SUPPORT OF GROSS INCOME**

1. In addition to an income statement for the 12 full calendar months immediately preceding the date of this application, I have submitted the following additional or other documents in support of my claim of gross income during that period:

- (a) \_\_\_\_\_
- (b) \_\_\_\_\_
- (c) \_\_\_\_\_
- (d) \_\_\_\_\_
- (e) \_\_\_\_\_
- (f) \_\_\_\_\_
- (g) \_\_\_\_\_
- (h) \_\_\_\_\_
- (i) \_\_\_\_\_



PART V

AFFIDAVIT OF SERVICE

I, Philip Hoon, declare that I am either the park owner or his/her authorized designee for purposes of filing the within NOI Annual Adjustment application with the City of Woodland Manufactured Home Fair Practices Commission.

I further declare that on March 1, 2006, I served copies of the within application:

- by personally serving a copy thereof on at least one adult member of each manufactured home household within the park.
- by placing a copy thereof in a sealed envelope with first class postage thereon fully prepaid in the United States mail at Woodland, California, addressed to each manufactured home residence within the park.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed this 28 day of February, 2006, at Kentfield, California.

Signed: Philip A. Hoon

Print name: Philip A. Hoon

These tables are included in the St. John attachment to the application.

Bill Long  
907 Bourn Dr., Spc 57  
Woodland, CA 95776

TABLE 1

A	B	C	D	E		F	G	H	I	J
IDLE WHEEL ESTATES										
Net Operating Income Analysis										
		Books of Record		Books of Record		Books of Record		Adjustment		Explanation of Adjustment
		5/1/2015-1/31/2016	1/1/2016-4/30/2016	5/1/2015-4/30/2016	5/1/2015-4/30/2016					
5	INCOME									
6	4100	Gross Potential Rent	449,492.31	218,132.96	667,625.27					
7	4105	Loss to Vacancy	-2,824.26	-1,414.48	-4,238.74					
8		Total Rental Income	446,668.05	216,718.48	663,386.53					
9										
10	4320	Water Income	33,513.94	14,234.21	47,748.15					
11	4340	Sewer Income	38,412.07	18,548.84	56,960.91					
12	4360	Trash Income	18,988.01	9,052.28	28,050.29					April 2015 Income
13		Total Utility Income	90,924.02	41,835.33	132,759.35					
14										
15	4500	Parking & Storage Fees	4,160.00	3,080.00	7,240.00					
16	4540	Security / Key Deposits	-699.10		-699.10					699.10
17	4620	Returned Check Fees	172.68	4.42	177.10					
18	4630	Late Charges	200.00	80.00	280.00					
19	4660	Interest Income	410.10	59.89	469.99					
20		Total Other Income	4,243.68	3,224.31	7,467.99					-469.99
21										
22	4899	Total Income	541,835.75	261,778.12	803,613.87					
23										
24	EXPENSE									
25	5200	Wages - Managers	14,052.00	6,622.00	20,674.00					
26	5210	Wages - Maintenance	18,312.00	9,632.00	27,944.00					
27	5241	P/R Tax - Soc Sec	2,006.57	1,007.76	3,014.33					
28	5242	P/R Tax - Medicare	469.32	235.72	705.04					
29	5243	P/R Tax - Futa	84.00	291.72	375.72					
30	5244	P/R Tax - Suta	490.01	476.02	966.03					
31	5260	Workmans Comp Insurance	4,486.00	1,084.00	5,570.00					
32	5270	Employee Rent	2,843.29	1,423.24	4,266.53					
33		Total Employee Costs	42,743.19	20,772.46	63,515.65					
34										
35	5300	Gas	271.00	448.18	719.18					
36	5310	Electric	3,614.38	1,386.08	5,000.46					
37	5320	Water	47,008.48	36,137.97	83,146.45					
38	5330	Sewer	36,336.33	21,371.04	57,707.37					

This includes unusual Amount of Water Usage

Since we have not seen the actual billings, but due in part to Pool refill after repair.

TABLE 1

A	B	C	D	E	F	G	H	I	J
1	<b>IDLE WHEEL ESTATES</b>								
2	<b>Net Operating Income Analysis</b>								
3				Books of Record	Books of Record	Books of Record	NOI	Adjustment	Explanation of Adjustment
4				5/1/2015-12/31/2015	1/1/2016-4/30/2016	5/1/2016-4/30/2016	Adjusted		
39	5340	Storm Damage		573.92	441.10	1,015.02	1,015.02		
40	5360	Trash		20,577.47	9,042.65	29,620.12	29,620.12		
41		Total Utilities		108,379.58	70,827.02	179,206.60	179,206.60		
42									
43	5400	R&M-Common Areas		2,629.47	891.58	3,521.05	3,521.05		
44	5410	R&M-Dump Runs		77.00	12.00	89.00	89.00		
45	5420	R&M- Electrical		588.90	10.76	599.66	599.66		
46	5430	R&M-Tools & Equipment		25.12		25.12	25.12		
47	5440	R&M-Fences		1,127.72	4,879.25	6,006.97	6,006.97		
48	5450	R&M-Gas System		5,698.04		5,698.04	5,698.04		
49	5460	R&M-Landscape		264.15	741.75	1,005.90	1,005.90		
50	5480	R&M-Lights			1,553.00	1,553.00	1,553.00		
51	5490	R&M-Park Owned Homes/Biggs		7,310.84		7,310.84	560.84	-6,750.00	carwash roof - capital
52	5510	R&M-Pool & Spa		3,227.26	19,180.00	22,407.26	3,227.26	-19,180.00	pool replaster - capital
53	5520	R&M-Sewer System			818.00	818.00	818.00		
54	5530	R&M-Streets		92.81		92.81	92.81		
55	5540	R&M-Street Sweeping			1,255.52	1,255.52	1,255.52		
56	5570	R&M-Water System		9,933.02	11,388.20	21,321.22	21,321.22		
57	5580	R&M-Other		6,800.00		6,800.00		-6,800.00	slab repair #47 - capital
58		Total Repairs & Maintenance		37,774.33	40,830.06	78,604.39	45,874.39		
59									
60	5610	Common Area Supplies			26.61	26.61	26.61		
61	5615	Equipment Gas		61.20	40.00	101.20	101.20		
62	5620	Janitorial Supplies		135.44		135.44	135.44		
63	5650	Tools & Equipment		51.35	3,419.31	3,470.66	3,470.66		
64	5655	Vehicle Gas		103.20	7.49	110.69	110.69		
65		Total Operating Supplies		351.19	3,493.41	3,844.60	3,844.60		
66									
67	5700	Accounting		300.00	2,435.00	2,735.00	2,735.00		
68	5710	Advertising & Promotion		289.67	67.71	357.38	357.38		
69	5730	Bank Charges		60.00	59.00	119.00	119.00		
70	5740	Credit Checks		202.00	27.00	229.00	229.00		
71	5750	Dues, Subscriptions, Fees		1,982.70	1,854.75	3,837.45	3,837.45	-1,655.00	not an NOI expense
72	5760	Education & Seminars		950.00		950.00	950.00		

This was not R/M Fences as an expense but rather Improvements, Amortizable as improvements over 27.5 years per IRS Definition

This is a calculation error. NOT subtracted

I have excel calculations for these amounts.

TABLE 1

A	B	C	D	E	F	G	H	I	J
1	<b>IDLE WHEEL ESTATES</b>								
2	<b>Net Operating Income Analysis</b>								
3				Books of Record		Books of Record			
4				5/1/2016-12/31/2015	1/1/2016-4/30/2016	5/1/2015-4/30/2016			
73	5760	Insurance - Property & Liability		11,693.30	700.84	12,393.94	Adjusted		
74	5790	Legal - Evictions		925.00	200.00	1,125.00	22,687.74	10,293.80	paid through escrow
75	5800	Legal - General		8,441.65	4,007.45	12,449.10	1,125.00		
76	5810	Licenses & Permits		3,166.10	1,348.90	4,457.00	12,449.10		
77	5820	Management Fees		15,737.11	8,765.52	24,522.63	4,457.00		
78	5830	Meals & Entertainment		82.66		82.66	24,522.63		
79	5860	Office Supplies		1,460.62	465.21	1,925.83	82.66		
80	5870	Outside Services		2,082.45	1,077.40	3,169.85	1,925.83		
81	5885	Payroll Service		1,147.66	555.20	1,702.86	2,094.85	-1,075.00	April 2015 expense
82	5890	Postage		809.87	389.51	1,199.38	1,702.86		
83	5900	Property Taxes		50,319.34	36,890.31	87,209.65	1,138.35	-61.03	April 2015 expense
84	5905	Rent Stabilization Fees		4,590.00		4,590.00	71,349.18	-15,860.47	see tax calculation
85	5910	Telephone		621.53	208.42	829.95	4,590.00		
86	5930	Title Search		50.00	25.00	75.00	829.95		
87	5940	Travel		12,842.11	9,619.65	22,261.76	75.00		
88	5945	Cash Over / Short		-0.01	-0.66	-0.67	21,342.14	-919.52	less travel by owner
89	5950	Other Expense		0.80		0.80		0.67	not an NOI expense
90		Total Admin. Expenses		117,506.56	68,716.01	186,222.57		-0.80	not an NOI expense
91							176,600.12		
92	5998	Total Operating Expenses		306,754.85	204,638.96	511,393.81	471,041.36		
93				W/O Water Adj					
94		TOTAL INCOME		802,590.01			802,590.01		
95		TOTAL EXPENSES		446,065.90	.56		471,041.36		58.7%
96		NET OPERATING INCOME		356,524.11	.44		331,548.65		41.3%
97	5750	Dues, Subscriptions, Fees				837.45	2,172.45	-1655.00	
98	5800	Legal-General				12,449.10	2,462.00	-9987.10	
99	5940	Travel				22,261.76	8,008.78	-13333.36	
100				With Water Adj			Total Adjust	-24975.46	
101							Water Adj	-12989.40	
102				802,590.01			Water Adj		
103		With Suggested Water Adj		433,076.51	.46	S/B Amort	After Water Adj	-37964.86	
104				369,513.50	.54				
105									
106									

Clearly stated in NOI as not to be included in NOI. These were bills related to the rent increase

This includes Commuting allowance to Maintenance person. Should be excluded from NOI

TABLE 1

A	B	C	D	E	F	G	H	I	J
1	<b>IDLE WHEEL ESTATES</b>								
2	<b>Net Operating Income Analysis</b>								
3				Books of Record		Books of Record			
4			5/1/2015-12/31/2015	1/1/2016-4/30/2016	9/1/2015-4/30/2016				
107									
108	<b>AMORTIZATIONS:</b>								
109	Item:		Amount:	Years:	Rate:	Amort:			
110	Slab for #47		6,800.00	15	0.07	746.60			
111	Pool Resurfacing		19,180.00	15	0.07	2,105.86			
112	Carwash Roof		6,750.00	15	0.07	741.11			
113	Professional Fees (est)		100,000.00	5	0.07	24,389.07			
114				total amortizations per year		27,982.65			
115				total amortizations per month		2,331.89			
116				total amortizations per space		15.24			
117									
118									
119									
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132									

- This appears to be a strange Amortization, and I wonder if this is reflected on their tax returns?
- This was for A roof for the "Car Wash" which is not functional, and has not been for many years.
- This slab was poorly poured, and left a serious tripping hazard. The tenants have filed a complaint.

Observation: Since we do not have copies of the actual tax return, I believe, in regards to line 113 this is an attempt to threaten further litigation.

TABLE II

IDLE WHEEL ESTATES			
PROPERTY TAX CALCULATIONS			
1st installment 2015-16 (old basis)	28,529.06		
1st supp A	1,215.72		
1st supp B	7,145.53		
2nd installment 2015-16 (old basis)	28,529.06		
2nd supp A	1,215.72		
2nd supp B	7,145.53		
	73,780.62		
A.V. TAX + SUPP B ONLY	71,349.18		
	basis	rate	total
A.V. PROPERTY TAX	5,370,000	0.0100	53,700.00
Woodland JUSD 2000 BD	5,370,000	0.00037600	2,019.12
YUBA CCD 2006 BD A	5,370,000	0.00006293	337.94
YUBA CCD 2006 BD B	5,370,000	0.00009424	506.07
YUBA CCD 2006 BD C	5,370,000	0.00009218	495.00
			57,058.13
A.V. PROPERTY TAX	6,715,000	0.0100	67,150.00
Woodland JUSD 2000 BD	6,715,000	0.00037600	2,524.84
YUBA CCD 2006 BD A	6,715,000	0.00006293	422.57
YUBA CCD 2006 BD B	6,715,000	0.00009424	632.81
YUBA CCD 2006 BD C	6,715,000	0.00009218	618.96
			71,349.18



	A	B	C	D	E	F
1	<b>TABLE IV</b>					
2						
3	<b>HYPOTHETICAL OUTCOMES</b>					
4	<b>IDLE WHEEL MHP</b>					
5			<b>1995</b>	<b>2015-16</b>	<b>Increase</b>	<b>Ratios</b>
6						
7		CPI	153.2	246,589	61.0%	
8		75% of CPI	100	145.7	45.7%	
9						
10	<b>1. Actual Outcome (75% indexing):</b>					
11		RENTAL INCOME	550,779	802,590	45.7%	
12		OPERATING EXPENSES	292,647	471,041	61.0%	58.7%
13		NET OPERATING INCOME	258,132	331,549	28.4%	41.3%
14						
15	<b>2. Hypothetical Outcome (50% NOI, 100% indexing):</b>					
16		RENTAL INCOME	550,779	886,528	61.0%	
17		OPERATING EXPENSES	275,390	443,264	61.0%	50.0%
18		NET OPERATING INCOME	275,390	443,264	61.0%	50.0%
19						
20	<b>3. Special Adjustment Outcome</b>					
21		RENTAL INCOME		1,164,558		
22		OPERATING EXPENSES		471,041		40.4%
23		NET OPERATING INCOME		693,517		59.6%
24						
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**MICHAEL ST. JOHN, Ph.D.**

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[msjetal@pacbell.net](mailto:msjetal@pacbell.net)  
[stjohnandassociates.net](http://stjohnandassociates.net)

**EDUCATION:**

- Ph.D. University of California at Berkeley, 1989, Department of Economics. Dissertation: "The Effect of Rent Control on Property Value: A Test of the Capitalization Hypothesis".
- MA University of California at Berkeley, 1984, Department of Economics. (Economics of Development, Regulatory Economics, and Industrial Organization)
- BA Harvard College, 1962, cum laude in Government and Sociology.

**PROFESSIONAL EXPERIENCE:**

- Principal Consultant, St. John & Associates, Property Management Consultants, 1985 - Present.
- Lecturer in Economics, California State University at Hayward, 1995-96.
- Lecturer in Economics, San Francisco State University, 1983-84.
- Developer, Sierra West Construction, 1979-81.
- General Contractor, St. John & Sons Builders, 1971-1979.
- Chief, East Africa Loan Division, Office of Capital Development, Agency for International Development, 1966-68.
- Financial Analyst, Agency for International Development, Washington, D.C., 1963-65.
- Fulbright Award, Teacher of English at Lucknow University, Lucknow, India, 1962-63.

**PUBLIC SERVICE:**

- Commissioner, Housing Advisory Commission, Berkeley, 2005 - 2006.
- Boardmember, Mendocino Historical Review Board, 2004 - present.
- Boardmember, Strawberry Creek Lodge Elderly Housing, 1994 - 1997.

- Boardmember, Berkeley Property Owners Association, 1990-96.
- Commissioner, Rent Stabilization Board, City of Berkeley, 1981-83.
- Member, Code Review Task Force, City of Berkeley, 1978-81.

**PUBLICATIONS & REPORTS:**

"Marina Mobilehome Report", St. John & Associates, Berkeley, 2008.

"Fair Return and the California Courts", St. John & Associates, Berkeley, 1997.

"Inflation and Rent Control". Paper describing the effects of inflation on rents and property income in rent controlled jurisdictions, with particular reference to mobilehome parks, 1994.

"The Economics of Mobilehome Residency", 1994.

"Preliminary Report on the Residential Hotel Industry in San Francisco and on the Economic Viability of the All Seasons Hotel as Impacted by the Hotel Conversion Ordinance, the Rent and Eviction Control Ordinance, and Other State and Local Regulations". Paper prepared for hearing at the Board of Permit Appeals, San Francisco, July 14, 1993.

"The Distributional Impact of Restrictive Rent Control Programs in Berkeley and Santa Monica, California." Paper presented at the Western Economic Association Conference, June, 1993.

"Rent Control in Perspective: Impacts on Citizens and Housing in Berkeley and Santa Monica after Twelve Years", (with Albert Sukoff). St. John & Associates, 1993.

"A Test of the Capitalization Hypothesis". Paper presented at the Western Economic Association conference, July, 1991.

"The Impact of Rent Controls on Property Value". Paper presented at the Western Economic Association conference, July 2, 1990.

"The Effects of Rent Controls on Property Value: A Test of the Capitalization Hypothesis". Doctoral dissertation, UC Berkeley Department of Economics, 1989.

"Indexing of Net Operating Income". St. John & Associates, 1989. (Paper submitted with amicus brief in Searle vs. City of Berkeley).

"The Effects of Rent Control on Municipal Revenues" (with Albert Sukoff). St. John & Associates, 1988.

"The Theory and Practice of Fair Return: Rent Controls in Berkeley 1978-1985". Berkeley: California Housing Research Institute, 1985.

***SELECTED EXPERT WITNESS DECLARATIONS, PAPERS, AND APPEARANCES:***

Rancho San Marcos (2010, 2011)

City of Marina (2008)

Indian Springs MHP, Palm Desert (2007, 2008)

Meadows MHP, Watsonville (2007)

City of Lancaster (2006)

Tower Management v. City of Oceanside (2001)

Casa de Amigos, City of Escondido (2001)

Hillsboro Properties v. City of Novato Rent Review Board (2000)

Hacienda Valley Mobile Estates v. City of Morgan Hill (2000)

Scotts Valley Rent Review Board (1997)

Oceanside Rent Review Board (1997)

Carson City Council (1997)

Salinas City Council (1997)

Valparaiso v. City of Cotati (1997)

Santa Monica Beach v. City of Santa Monica (1996)

Craig v. Santa Monica Rent Control Board (1996)

Berger Foundation v. City of Escondido (1995)

Save Affordable Housing v. Rent Stabilization Board (1992, 1993)

Searle v. City of Berkeley (1989, 1990)

The manufactured home fair practices commission

03-22-17 P12:00 IN

Under Section 16 B-9 (b) it states that " It shall be presumed that where the NOI is less than fifty percent of gross income in the base year, the park owner was receiving less than a just and reasonable return on the manufactured home park. In such case, for purposes of determining the base year NOI, gross income shall be adjusted upward to twice the amount of the base year operating expenses.

It has bothered me from the beginning why this was called a "Stabilization Ordinance" and not rent control. I now know that they are quite different.

Under the above section, it is more than apparent that "a reasonable return on the manufactured home park" is far more important than it appears. It appears to me to be at the very heart and in fact the Benchmark for stabilization control. If so, the spirit and attempt at stabilization is why this provision is made.

Under this definition, the whole effort in filing for a special application, such as is before us, is to bring the park rents or owners to a stabilized position. Thus, if the NOI shows that the NOI expenses exceed the threshold, a rent increase is due to the Applicant. If on the other hand, they are less than the threshold, a rent reduction should also be allowed.

Do we not also have to remember that the Ordinance is the controlling document in this situation. The Commission should not be swayed by arguments from the Applicant and the volumes of information provided by them. The main intent of the Ordinance is stabilization. If there is a deficiency in the NOI, all of this could be used to justify bringing back to a stabilized position, but is not necessary. If it meets the threshold, it is easily resolved.

I have now identified areas of great concern, based upon their financial statements, potentially amounting to over a \$70,000 reduction in expenses. The packet that the Commission receives will have an explanation of my concerns specifically pointing to the accounts involved and brief explanations where possible.

I will be prepared to answer any questions the commission may have at the Hearing on the 29<sup>th</sup>.

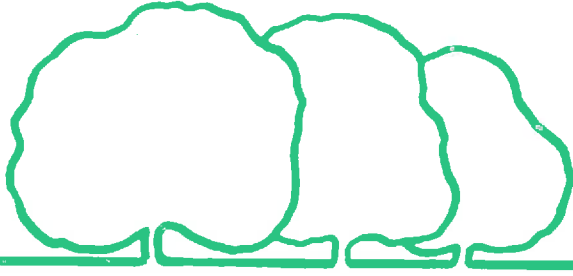
Thank you for your consideration.

Bill Long

907Bourn Dr., Spc 57

Woodland, CA 95776

March 22, 2017



# City of Woodland

COMMUNITY SERVICES DEPT  
(530) 661-2000

2001 EAST STREET  
(530) 666-7257 FAX

WOODLAND, CA 95776  
[www.cityofwoodland.org](http://www.cityofwoodland.org)

**March 1, 2017**

Sent via email

Robert G. Williamson, Jr.  
Hart King  
4 Hutton Centre Drive, Suite 900  
Santa Ana, CA 92707

**Re: Idle Wheel MHP LLC Special Adjustment Application**

Dear Mr. Williamson,

As you know, the City of Woodland Manufactured Home Fair Practices Commission is scheduled to hold a hearing on your client's Special Adjustment Application on March 14, 2017. The City has thoroughly reviewed the documents submitted in support of the Application. In order for both Idle Wheel and the City to be more prepared to address issues that may arise at the hearing, the City has identified a number of issues that would be helpful to receive additional information about, as follows:

1. Fire-Related Damage. As you may know, there was a fire at the Idle Wheel Mobile Home park on February 22, 2016. The mobile home experienced a total loss, and a man was arrested for arson and attempted murder in that fire.
  - a. Is Idle Wheel claiming any lost revenue from a vacancy at this mobile home space due to the fire (line 2 of the NOI application attached to the special application) during any of the 12-month time period measured by the NOI application? If so, please provide the number of months for which lost revenue is claimed and provide the amount of lost revenue claimed.
  - b. Were there any legal or other expenses related to this fire included in the NOI application attached to the special application during any of the 12-month time period measured by the NOI application? If so, please identify such expenses, including the amount of expenses in each month, and provide receipts, vouchers, or other documentation supporting those expenses.

- c. Did Idle Wheel receive any insurance payments as a result of this fire? If so, please identify the amount of such payments, any expenses defrayed by the payments, whether such expenses appear in the NOI filing, or whether any lost revenues compensated by the payments appear in the NOI filing.
    - d. The Woodland Fire Department was unable to use the hydrants inside the park to fight this fire. (City staff has also heard from park residents that fire hydrants inside the park could not be used by the Woodland Fire Department during a different fire on August 9, 2011.) Park residents and/or Commissioners may ask questions during the hearing regarding the sufficiency of the hydrants inside of the park to fight fires within the park. Since the fire, if Idle Wheel has taken any actions to improve the fire hydrants inside the park so that they may be used by the Woodland Fire Department, that information would be helpful to receive. In particular, please submit the cost of those actions and provide receipts or vouchers for any expenses incurred to improve the fire hydrants.
2. Additional Documentation Requested. Regarding the NOI worksheet, please be prepared to provide receipts, vouchers or other documentation beyond the general ledger supporting all items in excess of \$250 included in management expenses, normal repair and maintenance, and “administrative costs not mentioned.”
3. Gas System. Given that PG&E provides gas service to the park, please explain the \$5,687.04 R&M cost related to the gas system .
4. Advertising and Promotion. What is the purpose of expenses in Account 5710 advertising and promotion for a watch and a gift?
5. LLC Formation. Please explain why the cost of LLC formation in Account 5800 should be charged as a park operating expense.
6. Professional Services.
  - a. It is unclear whether the \$10,745.10 of legal and expert witness costs for the upcoming March 14, 2017 hearing are included in either or both Accounts 5800 and 5870 in the expenses for the year ending April, 2016 used to set the NOI. If they are not included, please provide the correct figures referencing the general ledger.
  - b. The City asks the question in a. because Dr. St. John submitted at the top of page 6 in his letter to you dated July 20, 2016, that legal and professional fees should not be included in NOI calculations because the costs are non-recurring. Dr. St. John instead recommends amortizing the legal and professional fees at the conclusion of the hearing process and awarding them separately. As you may know, the City’s MHFPC has the discretion under the City’s ordinance to decide whether or not to allow Idle Wheel to recover its legal and other costs associated with the Special

Adjustment Application. Please let the City know if you disagree with this conclusion.

7. Watman-Waterhouse. The “Watman-Waterhouse” entry listed in a number of places in the NOI filing is unclear. Please explain if this entry refers to people, an organization, a corporate entity, or something else, and what functions it performs for the park. For example, Account 5710 is for “Watman-Waterhouse-Empl Xmas Gi,” and Account 5820 is for “Watman-Waterhouse” as well.
8. Travel Expenses. Please provide vouchers or other documentation supporting \$12,642 of travel through 12/31 and \$9,619 through 4/30/2016 in Account 5940. Specifically explain why the park’s maintenance employee receives approximately \$1500 per month in travel expenses in addition to his wages. Provide any contracts with the employee or other documentation supporting this amount.
9. Insurance Costs. Please provide policy pages documenting the annual insurance cost at the park for each policy that the park had in force in the 2015-16 test year.
10. Street Repair Costs. Please provide invoices, vouchers, or other documentation beyond general ledger entries supporting the street repairs costs that are included in the investment request.
11. Fair Market Value. Please provide any appraisals or other documentation made at the time of the purchase showing the relationship of the \$6,700,000 purchase price to fair market value.
12. Amortization Cost Support. Please provide invoices, vouchers or other documentation beyond general ledger entries supporting the costs requested for amortization for all of the items included as amortization items in the analysis of NOI by Dr. St. John attached to his evidence.
13. Netzer & Associates’ Appraisal. Regarding Netzer and Associates’ appraisal of space rents:
  - a. Please confirm that the cost of moving the mobile home from the dealer’s lot to the park is not included in the calculation of intrinsic value. If that point cannot be confirmed, please explain why.
  - b. Assuming that the cost in a. was included, it would be helpful to understand the average cost of moving a mobile home from a dealer to a vacant space in a park as that information was not provided.
  - c. In addition, assuming that the cost in a. was included, it would be helpful to understand if Netzer has an opinion regarding the percentage of mobile home parks that would accept a move-in from a 20-year mobile home.

- d. Regarding the Netzer appraisal letter, page 3 assumes that mobile homes were worth, on average, \$6,000 to the homeowners if market-based space rents were collected. Please clarify how Netzer values the maintenance of mobile homes by their owners and the amenities they may provide, such as landscaping. Does Netzer contend that maintenance of a mobile home and the amenities provided do not factor into establishing the valuation of a mobile home for purposes of resale? Does Netzer attribute a mobile home's valuation for purposes of resale to only the infrastructure and amenities provided by the mobile home park owner? Does Netzer contend that there is an economic incentive for mobile home owners to maintain their homes and provide amenities if market-based space rents were collected and the homes had an average value of \$6,000?
14. Investor Survey. Regarding the selected pages in the Investor Survey by Realty Rates.com attached to the NOI worksheet, please confirm that the 8.93% rate recommended by Dr. St. John is defined based on a mortgage payment of 63% at a 4.99% interest rate and equity at about 37% at an equity dividend rate of about 12.53%. If this information cannot be confirmed, please provide the loan to value rate, the interest rate, and the equity dividend rate that Dr. St. John believes is appropriate.
15. Interest Rate. Please confirm that the debt interest rate that this park has is 4.15% on \$5 million with a 30-year amortization. Reference <http://www.mhmarketingsalesmanagement.com/blogs/daily-business-news/idle-wheel-mobile-home-park-rolls-to-a-new-owner/> If you cannot confirm this figure, please provide additional information supporting the correct amount of debt and correct capital structure.
16. Equity Dividend Rate. Please confirm that Idle Wheel will end up with a higher equity dividend rate than 12.53% if its cost of debt is lower than 4.99% and the percentage of debt in the capital structure is greater than 63%. If you cannot confirm this point, please explain.
17. Fair Return and Amenities. Regarding the testimony of Dr. St. John, given that his recommendation is based on the average capitalization rate from realty investment.com, is the fair return that he recommends consistent with mobile home parks with an average amount of amenities?
  - a. If so, how did he adjust his fair return of Idle Wheel for the level of amenities in that park as compared to other parks? If he did not make such an adjustment, (i) why did he not make such an adjustment, and (ii) how would such an adjustment be made?
  - b. If Dr. St. John was provided with information about the internal fire hydrant not being sufficient for the Woodland Fire Department to use, please explain whether Dr. St. John considered the fire hydrant as an amenity and/or whether it would affect the market rent.

Please feel free to call me if you have concerns or specific questions about these items. I look forward to receiving your response to all or some of these questions.

Sincerely,



Dan Sokolow, Senior Planner

(530) 661-5927

[dan.sokolow@cityofwoodland.org](mailto:dan.sokolow@cityofwoodland.org)

**CHAPTER 16B OF THE WOODLAND CITY CODE  
AS AMENDED BY MEASURE I (2002)**

**Sec. 16B.1 Preamble.**

(a) There is presently, within the city of Woodland and surrounding communities, a shortage of rental spaces for the location of manufactured homes commensurate with the demand therefor. This inequitable market situation has resulted in low vacancy rates and contributed or threatens to contribute to rapidly escalating rents. This situation has resulted or threatens to result in serious concern, anguish and stress among a significant portion of Woodland residents living in manufactured home parks.

(b) Alternative sites for the relocation of manufactured homes are difficult to find due to the shortage of vacant space, the restrictions on the age, size or style of manufactured homes permitted in many parks, and requirements related to the installation of manufactured homes, including permits, landscaping and site preparation. Additionally, the cost for moving a manufactured home is substantial, and the risk of damage in moving is significant. The results of these conditions are the creation of a captive market of manufactured home owners. This immobility, in turn, contributes to the creation of a great imbalance in the bargaining position of the park owners and manufactured home owners in favor of the park owners.

(c) Manufactured home owners are property owners with sizable investments in their manufactured homes and appurtenances. Collectively, the manufactured home owners have a greater investment than does the manufactured home park owner. The residents of manufactured home parks consider their relationship with the park owners as a joint housing venture. The continuing possibility of unreasonable space rental increases in manufactured home parks threatens to diminish the value of the investment of the manufactured home owners. Further, existing state law permits manufactured home park owners to require manufactured home owners to make modifications to their homes for reasons of aesthetics or conformity to park standards that amount to capital improvements which would accrue to the benefit of the park owner by potentially increasing the market value of the park itself.

(d) It is necessary to facilitate and encourage fair bargaining between manufactured home owners and park owners in order to achieve mutually satisfactory agreements with regard to space rental rates in manufactured home parks. Absent such agreements this council further finds and declares it necessary to protect the owners and residents of manufactured homes from unreasonable space rental increases while simultaneously recognizing and providing for the need of park owners to receive a just and reasonable return on their property.

**Sec. 16B.2. Definitions.**

(a) Commission. The manufactured home fair practices Commission established by this chapter.

(b) Manufactured home. For purposes of this chapter, the term “manufactured home” shall be synonymous with the term “mobile home.”

(c) Manufactured home park. An area of land where two (2) or more manufactured home sites are rented, or held out for rent to accommodate manufactured homes used for human habitation. Also referred to herein as a “park.”

(d) Manufactured home park owner. The owner, lessor, operator or designated agent thereof of a manufactured home park also referred to herein as a “park owner.”

(e) Manufactured home resident. Any person entitled to occupy a manufactured home as the owner thereof or pursuant to a rental or lease agreement with the owner of a manufactured home. Also referred to herein as a “resident.”

(f) Rental agreement. An agreement between the manufactured home park owner and a resident establishing the terms and conditions of a tenancy. A lease is a rental agreement.

(g) Space rent. The consideration, including any bonus, benefits or gratuities, demanded or received for and in connection with the use or occupancy of a manufactured home within a manufactured home park or the transfer of a rental agreement of such a manufactured home. The use and occupancy of a rental unit shall induce the exercise of all rights and privileges and use of all facilities, services and amenities accruing to the residents thereof for which a separate fee authorized by the Mobile Home Residency Law (California Civil Code Section 798 et seq.) not charged. Nothing herein shall be construed to prevent a park opener from establishing such fees as may be authorized by the Mobile Home Residency Law.

(h) Vacancy control. The occurrence of a vacancy in either a space within a park or a mobile home unit on a space within a park shall not result in a space rental increase in excess of the percentage increase allowed once during any twelve (12) month period.

**Sec. 16B.3. Applicability.**

(a) The provisions of this chapter shall apply to all manufactured home parks as defined in Section 16B.2(c), and to all tenancies in such parks unless otherwise exempted by this section or any other provision of this chapter.

(b) The space rent ceiling provision of this chapter shall not apply to any tenancy in a manufactured home park that is covered by a rental agreement meeting all of the requirements of Section 798.17 of the California Civil Code for the duration of such agreement. All other provisions, including but not limited to the registration provisions of Section 16B.5, shall be applicable to such tenancies unless specifically exempted by a provision of this chapter or state law.

(c) The provisions of this chapter shall not apply to any space occupied by a resident who, throughout the duration of his or her tenancy, owns both the manufactured home in which he or she resides and an ownership interest in the subdivision, cooperative, condominium for mobilehomes, or other resident-owned manufactured home park in which the space is located.

(d) The provisions of this chapter shall not apply to spaces in manufactured home parks that are subject to recorded affordable housing covenants which restrict tenancies to low- and very low-income households and require rents affordable to residents at those income levels.

#### **Sec. 16B.4. Manufactured Home Fair Practices Commission.**

(a) Establishment. The Manufactured Home Fair Practices Commission of the city of Woodland is hereby established.

##### **(b) Membership**

(1) The commission shall consist of a total of five (5) regular members and two (2) alternate members. All regular and alternate members shall be resident electors of the city of Woodland. No member shall be a manufactured home owner or resident; an owner, operator or manager of a manufactured home park; own or possess any interest in; or operate or manage, any other rental property totaling four (4) or more dwelling units, whether such four (4) units are located on one parcel or lot, or are spread among several parcels or lots. As used in this section, "dwelling unit" shall mean an apartment unit, a condominium unit, or a single-family residence.

(2) All members of the commission, regulars and alternates, shall be required to attend all commission meetings and hearings unless such member has been disqualified from participation.

(3) When a regular member is absent from a meeting, an alternate member shall participate in the commission proceedings in place of the absent regular member. An alternate member shall have voting privileges only when acting in the stead of an absent regular member.

(c) Nomination and appointment. Each member of the city council shall nominate one (1) regular member and the mayor shall nominate one (1) regular member and two (2) alternate members for appointment to the commission. Each such nomination shall be subject to actual appointment by the mayor with the approval of the city council.

##### **(d) Term**

(1) Each regular member of the board shall serve for a term of three (3) years except as otherwise provided herein. For the first Commission, the mayor shall appoint three (3) regular members for three-year terms and two (2) regular members for two-year terms. Thereafter, the successors of these members shall be appointed for terms of three (3) years. Each regular member shall hold office until a new member has been duly appointed.

(2) Each alternate member of the board shall serve for a term of two (2) years except as otherwise provided herein. Each alternate member shall hold office until a new alternate member has been duly appointed.

(3) If a vacancy shall occur otherwise than by expiration of the term, it shall be filled by appointment for the unexpired portion of such member's term.

(4) The provisions herein above notwithstanding, a member may be removed, at any time, with or without cause, by majority vote of the city council.

(5) Any member who is absent, without sufficient cause, from three (3) successive meetings of the commission which such member was required to attend, shall be deemed to have vacated his office.

(e) Meetings. Except as expressly provided herein, the commission shall establish the time and place of its meetings. All meetings of the commission shall be conducted in accordance with the provisions of the Ralph M. Brown Act (Gov. Code section 54950 et seq.).

(f) City council guidelines; commission rules and regulations.

(1) The city council may from time to time, adopt by resolution, such guidelines, as it deems necessary to assist and direct the commission in the accomplishment of its duties.

(2) The commission may make and adopt its own rules and regulations for conducting its business consistent with the laws of the state, this chapter, and any guidelines adopted by the city council. Any such rules and regulations shall be reduced to writing and be on file with the secretary of the commission at all times.

(g) Officers. The commission may appoint such officers, as it may deem necessary to carry out its duties hereunder.

(h) Records. The commission shall keep a record of its proceedings, which shall be open for inspection by any member of the public.

(i) Appointment of committees and hearing officers. The commission may appoint committees or hearing officers to hear matters on which testimony must be taken, which committees and officers shall report to the commission the findings and results of any such hearing on a matter referred to such committee or person.

(j) Compensation. Each member of the commission shall be entitled to such compensation as may be set by the city council. Such members shall be entitled to reimbursement for expenses incurred in the performance of their official duties. The commission shall not have any authority to expend or authorize the expenditure of any public funds, except with the prior express approval of the city council.

(k) Staff. The city manager shall provide all administrative staff necessary to serve the commission. The city clerk shall serve as the secretary of the commission and shall be responsible for the maintenance of all records of the commission. The city attorney or his/her designee shall act as legal counsel to the commission.

(l) Quorum. Three (3) commissioners shall constitute a quorum. A majority vote of all commissioners, i.e., three (3) votes is required for the adoption of any findings and/or order pertaining to an application filed hereunder and for the adoption, amendment or repeal of any rules and regulations of the commission. A majority vote of the quorum of the commission is required for the commission to take action on any other matter.

(m) Duties. The commission shall undertake and have the following duties, responsibilities and functions, together with all powers reasonably incidental thereto:

(1) To meet from time to time as may be specified by the rules and regulations of the commission in order to carry out its duties;

(2) To require such registration of manufactured home parks as the commission may deem necessary to enable it to carry out its duties;

(3) To make adjustments in space rent ceilings as provided for in this chapter;

(4) To make such studies, surveys and investigations, conduct such hearings, and obtain such information as is necessary to carry out its powers and duties;

(5) To adopt, promulgate, amend and rescind such administrative rules as may be necessary to effectuate the purposes and policies of this chapter and to enable the commission to carry out its powers and duties thereunder;

(6) To render at least semiannually a comprehensive written report to the city council concerning the commissions activities, holdings, action, results of hearings, and all other matters pertinent to this chapter; and

(7) To undertake such other related duties as may be assigned by the city council.

#### **Sec. 16B.5. Registration.**

(a) Within sixty (60) calendar days after the date any manufactured home park, or manufactured home space, initially becomes subject to the provisions of this chapter, and annually thereafter, the owner of such park shall register the park, including all manufactured home spaces within the park that are subject to this chapter.

(b) The initial registration shall include the name(s), business addresses, business telephone number(s) of each person or legal entity possessing an ownership interest in the park and the nature of such interest; the number of manufactured home rental spaces within the park; a rent schedule reflecting space rents within the park on the effective date of this chapter; a listing of all other charges, including utilities not included in space rent, paid by manufactured home residents within the park and the approximate amount of each such charge; and the name and address to which all required notices and correspondence may be sent.

(c) The commission is hereby empowered to require such re-registration as it deems necessary.

(d) No park owner shall be eligible to receive any rent ceiling adjustment as provided for under the provisions of this chapter unless such current registration as may then be required for the manufactured home park is on file with the commission at the time the petition for the rent ceiling adjustment is filed.

(e) The registration requirements provided for in this section or which may be established by the commission shall apply to all manufactured home parks, and park spaces, including those exempt from the space rent ceiling limitation by reason of an exemption based upon Civil Code Section 798.17.

**Sec. 16B.6. Registration fee.**

(a) At the time of initial registration or any subsequent re-registration, manufactured home park owners shall pay to the city of Woodland a registration fee for each manufactured home rental space within the park, as established by resolution of the city council, except such spaces that are exempt from such fee because of a space rental agreement that meets the requirements of Section 798.17 of the California Civil Code.

(b) If a park owner does not pay the fee provided for in subsection (a) above within the time period established therein, a late charge shall be assessed in an amount equal to one dollar (\$1.00) for each manufactured home rental space within the park for each month or fraction thereof that such payment is delinquent.

(c) No petition will be accepted from any park owner for a space rent ceiling adjustment of any kind, no hearing or other proceeding shall be scheduled or take place, and no space rent ceiling adjustment shall be granted or take effect for any manufactured home park for which there is an unpaid registration fee.

(d) The registration fee provided by this section is intended to defray costs associated with the administration of this chapter except those costs associated with Net Operating Income and special adjustment hearings, which costs are provided for under Section 16B.14(f) of this chapter.

(e) The city manager is hereby directed to maintain an accurate accounting of all direct and indirect costs of administering the regulations contained in this chapter. The city manager shall submit a report to the commission and city council of such costs and any recommendation for a change in the registration fee at least annually from and after the effective date of this chapter.

**Sec. 16B.7. Space rent ceiling.**

(a) Beginning the first month which commences following this election when this ordinance is enacted, no owner of a manufactured home park shall charge space rent for any manufactured home space in an amount greater than the space rent in effect on January 1, 1996. This date shall be known as the "space rent ceiling date." The space rent in effect on that date, and as thereafter adjusted in accordance with this chapter, shall be known as the space rent ceiling.

(b) When no space rent in effect. If there was no space rent in effect on the space rent ceiling date, the space rent ceiling shall be the space rent that was charged for that space on the last date that space rent was charged for the space prior to the space rent ceiling date.

(c) Exemptions. If a manufactured home space is exempted from the space rental ceiling provisions of this chapter by reason of the existence of a space rent agreement that meets the requirements of Civil Code Section 798.17, and the agreement expires, the space rent ceiling for the space shall be the space rent in effect for that space before the agreement expired.

## **Sec. 16B.8. Space rent ceiling adjustments.**

(a) Increase prohibited. No increase in space rent ceiling shall be permitted except as provided for herein.

(b) Initial adjustment.

(1) Permissive adjustment. A park owner shall be entitled to an initial permissive adjustment of gross space rental income equal to the lesser of the three (3) percent increase per annum since the base year or an increase equal to the percentage increase in the Consumer Price index (CPI) from the end of the base year to the date of application for the adjustment.

(2) NOI adjustment. In the event a park owner does not receive a just and reasonable return on the park property after receiving the maximum permissive adjustment provided for above, a park owner may file an application with the commission for an initial adjustment of the space rent ceiling.

A park owner shall be entitled to an adjustment of the space rent ceiling so as to enable the park owner's base year net operating income (NOI) to be increased by a rate equal to the lesser of: (a) the percentage increase in the CPI since the end of the base year multiplied by that percentage of the CPI which composes the expenditure category of housing or the equivalent thereof, or (b) forty (40) percent of the percentage increase in the CPI since the end of the base year. The percentage increase in the CPI shall be calculated by using the procedure set forth in section 16B.8(b)(1).

No further space rent ceiling adjustment shall be permitted in calendar year 2002, with the exception of any applicable pass-through adjustment provided for herein.

(3) Filing of application. An application for either an initial permissive or NOI adjustment may be filed with the secretary to the commission no sooner than sixty (60) days following enactment of this ordinance. The application shall be submitted on such form as may be provided by the commission.

The commission shall review any such application in accordance with the provisions of this chapter.

(c) Annual adjustment. Commencing on April 1 in the year following the date any manufactured home park initially becomes subject to the provisions of this chapter, and every subsequent year thereafter, any park owner subject to this chapter shall be entitled to the following annual adjustments:

(1) Permissive adjustment. A park owner shall be entitled to an annual permissive adjustment of gross space rental income equal to the lesser of a three (3) percent increase or an increase equal to seventy-five (75) percent of the percentage increase in the CPI during the full twelve (12) calendar months immediately preceding the date of the application as reported by the Bureau of Labor Statistics. The percentage increase in the CPI during the 12-month period shall be calculated by comparing the CPI reported for the last month of the 12-month period with the CPI reported for the month immediately preceding the 12-month period.

(2) NOI adjustment. In the event a park owner believes he would not receive a just and reasonable return on his investment in the park after receiving the

maximum permissive adjustment provided for above, a park owner may file an application with the commission for an alternative adjustment of the space rent ceiling based upon the park's net operating income (NOI).

A park owner shall be entitled to an adjustment of the space rent ceiling so as to enable the park owner's net operating income (NOI) during the full twelve (12) calendar months immediately preceding the date of the application to be increased by a rate equal to the lesser of: (a) the percentage increase in the CPI during the full twelve (12) calendar months immediately preceding the date of the application multiplied by that percentage of the CPI which composes the expenditure category for housing, or (b) forty (40) percent of the percentage increase in the CPI during the full twelve (12) calendar months immediately preceding the date of the application. The percentage increase in the CPI during the 12-month period shall be calculated in the same manner described in Section 16B.8(c)(1).

(3) Effect of previous annual adjustment. No annual adjustment shall become effective if a previous annual adjustment became effective within the previous twelve (12) months. An annual adjustment may, however, be approved by the commission within such twelve-month period provided that such an adjustment shall not become effective within such twelve-month period.

(d) Pass-through of government assessments.

(1) A manufactured home park owner may file an application with the commission to pass through to the residents of the park governmental assessments related to the operation of the park. The application shall be submitted in such form, and at such time, as may be provided by the commission.

(2) For governmental assessment increases of a continuing nature, the commission shall permit the park owner to adjust the space rent ceiling by an amount deemed necessary to cover the increase in such assessments. The space rent ceiling for each manufactured home rental space shall be adjusted equally in an amount necessary to cover increases in such costs.

(3) Government assessments representing a single one-time payment, or a single assessment payable over a fixed period of time, shall not affect the space rent ceiling for the park. Park owners may pass through such assessments to the residents of the park upon terms and conditions as approved by the commission.

(4) For the purposes of this chapter, government assessments shall not include federal, state or local taxes, governmental license or registration fees, or fees paid and costs incurred pursuant to the requirements of this chapter.

(f) Distribution of space rent ceiling adjustments. In the event the commission grants any adjustment or pass-through pursuant to any provision of this chapter, the amount of the gross adjustment or pass-through shall be distributed to each individual space in the park based upon the percentage increase in the gross space rents of all manufactured home spaces in the park subject to this chapter. The individual space rent shall thus increase by the same percentage increase as the increase allowed to the gross space rents in the park.

The park owner shall adjust the space rent ceiling for each such manufactured home rental space within the park accordingly and impose this adjustment simultaneously to all manufactured home rental spaces in the park.

(g) Consumer Price Index (CPI). The Consumer Price Index utilized herein shall be the Consumer Price Index for all urban consumers in the West Urban Area, including all items and not seasonally adjusted, as reported by the U.S. Department of Labor, Bureau of Labor Statistics, with an index measure of 100 for the base period of 1982-84 or such other prevailing base period as may be adopted from time to time by the Bureau of Labor statistics. In the event that the Consumer Price Index as defined in this section is discontinued, the commission shall use in its place the substantially similar index thereafter employed by the Bureau of Labor Statistics in lieu of the Consumer Price Index to report the increase in the cost of living of urban consumers in the western United States. As used in this section, "Bureau of Labor Statistics" shall mean that agency or its successor agency of the United States Government.

**Sec. 16B.9. Presumption of just and reasonable return on property; fair return review hearing.**

(a) Except as provided herein below, it shall be presumed that the net operating income produced by a manufactured home park during the base year provided the park owner with a just and reasonable return. Park owners shall be entitled to maintain and increase their net operating income from year to year in accordance with the adjustment procedures contained in this chapter.

(b) It shall be presumed that where the NOI is less than fifty (50) percent of gross income in the base year, the park owner was receiving less than a just and reasonable return on the manufactured home park. In such a case, for purposes of determining the base year NOI, gross income shall be adjusted upward to twice the amount of the base year operating expenses.

(c) It shall be further presumed that the adjustments provided for in this chapter, including any adjustments to base year NOI and any annual adjustments provides all adjustments necessary to allow the park owner a just and reasonable return on investment for any given year.

(d) However, in the event a park owner contends that the application of these adjustments does not result in a just and reasonable return to the park owner for the particular year, the park owner may apply for an additional "special adjustment." The application for a special adjustment shall be in writing in such form as provided by the commission and shall be heard by the commission at a public hearing to be known as a "fair return hearing." Notice of the fair return hearing shall be given to the park owner/applicant and to the residents of the park by first class mail sent not less than twenty (20) days before the date set for the hearing.

(e) At the fair return hearing, the park owner shall bear the burden of presenting evidence rebutting the presumption stated in subsection 16B.9(c) herein, and the commission shall hear such evidence, and consider such evidence as provided in Section 16B.14(d)(6), and determine, based upon the evidence presented, whether the adjustments as provided in this chapter are adequate to allow the park owner a just and reasonable return, and whether and to what extent a special adjustment is necessary to allow such just and reasonable return. The commission shall grant a

special adjustment to the extent it finds such necessary to effectuate such just and reasonable return to that park owner/applicant.

**Sec. 16B.10. Base year.**

Except as otherwise provided herein, the base year for all manufactured home parks shall be the twelve-month period immediately preceding the space rent ceiling date applicable to that park.

**Sec. 16B.11. Net operating income (NOI).**

For purposes of this chapter, the net operating income (NOI) of a manufactured home park shall equal gross income (GI) less operating expenses (OE).

**Sec. 16B.12. Gross income (GI).**

For purposes of this chapter, the gross income (GI) of a manufactured home park shall equal the following:

- (a) Gross space rents, computed as gross space rental income at one hundred (100) percent occupancy; plus
- (b) Other income generated as a result of the operation of the park, including but not limited to laundry and recreational vehicle storage; plus
- (c) Revenue received by the park owner from the sale of gas and electricity to park residents where such utilities are billed individually to the park residents by the park owner, which revenue shall equal the total cost of the utilities to the residents minus the amount paid by the park owner for such utilities to the utility provider; minus
- (d) Uncollected space rents due to vacancy and bad debts to the extent that the same is beyond the park owner's control. Uncollected space rents in excess of three (3) percent of gross space rents shall be presumed to be unreasonable unless established otherwise and shall not be included in computing gross income. Where uncollected space rents must be estimated, the average of the preceding three (3) year's experience shall be used, or some other comparable method.

**Sec 16B.13. Operating expenses (OE).**

- (a) For purposes of this chapter, the operating expenses (OE) of a manufactured home park shall include the following:
  - (1) Real property taxes and assessments.
  - (2) Management expenses, including the compensation of administrative personnel (may include the value of any manufactured home space offered as part of compensation for such services), reasonable and necessary advertising to ensure occupancy only, legal and accounting services as permitted herein, and other managerial expenses. Management expenses are presumed to be not more than five (5) percent of gross income, unless established otherwise.

(3) Normal repair and maintenance expenses for the grounds and common facilities, including but not limited to landscaping, cleaning, repair of equipment and facilities.

(4) Owner-performed labor in operating and/or maintaining the park. In addition to the management expenses listed above where the owner performs managerial or maintenance services which are uncompensated, the owner may include the reasonable value of such services. There shall be a maximum allowance of five (5) percent of gross income unless such a limitation would be substantially unfair in a given case. It shall be presumed that a park owner must devote substantially all of his or her time, i.e., at least forty (40) hours per week, to performing such managerial or maintenance services in order to warrant the maximum five (5) percent allowance. No allowance for such services shall be authorized unless a park owner documents the hours utilized in performing such services and the nature of the services provided.

(5) Operating supplies such as janitorial supplies, gardening supplies, stationery and so forth.

(6) Insurance premiums prorated over the life of the policy.

(7) Other taxes, fees and permits.

(8) Reserve for replacement of necessary capital improvements. This amount shall not exceed five (5) percent of gross income. The reserve shall be documented. The reserve may be included as an operating expense in a particular annual adjustment only to the extent that additional money is added to any previously approved reserve, up to a maximum of five (5) percent of current gross income.

(9) Necessary capital improvement costs exceeding reserves for replacement. A park owner may include the cost of necessary capital improvement expenditures which exceeded reserves for replacement for which the park owner has been given credit under subsection (8) of this Section 16B.13(a) in the current adjustment or in any previously approved adjustment. A necessary capital improvement shall be an improvement required to maintain the common facilities and areas of the park in a decent, safe and sanitary condition or to maintain the existing level of park amenities and services.

Expenditures for capital improvements to upgrade existing facilities or increase amenities or services shall be an allowable operating expense only if documented and only if the park owner has:

a. Consulted with the park residents prior to initiating construction of the improvements regarding the nature and purpose of the improvements and the estimated cost of the improvements.

b. Obtained the prior written consent of at least one adult resident from a majority of the manufactured home rental spaces to include the cost of the improvement as an operating expense. Evidence of such consent must be presented at the time of filing the application seeking to include such capital improvement expenditure as an operating expense.

Any capital improvement expense shall be amortized over the reasonable life of the improvement or such other period as may be deemed reasonable by the commission under the circumstances.

In the event that the capital improvement expenditure is necessitated as a result of an accident, disaster or other event for which the park owner receives insurance benefits, only those capital improvement costs otherwise allowable exceeding the insurance benefits may be calculated as operating expenses.

(10) Involuntary refinancing of mortgage or debt principal. A park owner may, under the provisions of this subsection, be able to include certain debt service costs as an operating expense. Such costs are limited to increases in interest payments from those interest payments made during the base year which result from one of the following situations or the equivalent thereof: (1) Refinancing of the outstanding principal owed for the acquisition of a park where such refinancing is mandated by the terms of a financing transaction entered into on or before the space rent ceiling, e.g., termination of a loan with a balloon payment; or (2) increased interest costs incurred as a result of a variable interest rate loan used to finance the acquisition of the park and entered into on or before the space rent ceiling.

In refinancing, increased interest shall be permitted to be considered as an operating expense only where the park owner can show that the terms of the refinancing were reasonable and consistent with prudent business practices under the circumstances.

(11) Increases in rental payments made on leases of land entered into on or before the space rent ceiling. A park owner may, on such terms and conditions as the commission deems reasonable, include as expenses that portion of the increase in rental payments made by the park owner on a lease of the land occupied by all or a portion of park where such lease was entered into on or before the space rent ceiling, as follows: The park owner may include as expenses an amount not to exceed the increase in such land; lease rental payments occurring since the previous commission-approved rental adjustment for the park when said increase in land lease rental payments is the result of inflation or the increase in the space rental income.

Such increased land lease rental obligations shall be permitted to be considered as an operating expense only where the park owner can show that the terms of the lease are reasonable and consistent with prudent business practices under the circumstances.

(B) Operating expenses shall not include the following:

(1) All debt service expenses and rental payments made on leases of land, except as provided above;

(2) Depreciation;

(3) Any expense for which the park owner is reimbursed;

(4) Attorney's fees and costs incurred in proceedings before the commission, or in connection with legal proceedings against the commission or challenging this chapter; and

(5) Any late charges incurred by the park owner for failure to pay any registration fee to the city authorized by this chapter.

(C) All operating expenses must be reasonable.

Whenever a particular expense exceeds the normal industry or other comparable standard, the park owner shall bear the burden of proving the reasonableness of

the expense. To the extent that the commission finds any such expense to be unreasonable, the commission shall adjust the expense to reflect the normal industry or other comparable standard.

**Sec 16B.14. Space rent ceiling adjustment procedures.**

(a) Initiation.

(1) In order to initiate an annual permissive or NOI space rent ceiling adjustment, as provided in Section 16B.8(c), a pass-through adjustment, as provided in Section 16B.8(d), or a special adjustment, as provided in Section 16B.9(d), a manufactured home park owner must submit an application for such an adjustment to the secretary of the commission. The application shall be submitted at such time and in such form and with such supporting data as may be required by the commission. Permissive and NOI applications shall not be considered complete until the CPI figures required to calculate the adjustment are available from the Bureau of Labor Statistics.

(2) NOI and special adjustment applications shall be accompanied by an affidavit from the park owner or his designee declaring that copies of the application have either been personally served on each manufactured home resident (service on one adult member of a manufactured home household shall constitute service on each adult member thereof) or mailed first class postage prepaid to each manufactured home residence within the park.

(3) The NOI or special adjustment application shall be accompanied with two (2) sets of four-by-ten envelopes with first class postage affixed and pre-addressed to each manufactured home residence in the park.

(4) The secretary to the commission shall not accept an NOI or special adjustment application for filing unless it is accompanied by both the affidavit of service or mailing and the required envelopes.

(b) Park inspections and hearings on applications for adjustment.

(1) Upon receipt of a complete application for a permissive, NOI, pass-through, or special adjustment, the commission or staff shall order an inspection of the park by the City of Woodland Community Development Department to determine the park's compliance with health and safety standards within the enforcement jurisdiction of the city of Woodland, zoning ordinances, and land use permits.

(2) If, after inspection of the park it is determined that the park complies with all applicable health and safety requirements, zoning provisions, and land use permits, and the park owner is otherwise entitled to a permissive or pass-through adjustment, as provided in this chapter, the commission shall authorize a permissive or pass-through adjustment as requested in the application or as determined appropriate by the commission. The commission shall notify the park owner by first class mail of such determination.

(3) If after the investigation it is determined that the park owner is not in compliance with health and safety standards within the enforcement jurisdiction of the city of Woodland, zoning ordinances, and land use permits, the commission shall notify the park owner of any and all conditions found at the park that are not in compliance with such requirements. If the commission determines that the park

owner is otherwise entitled to a permissive or pass-through adjustment as provided in this chapter, the commission shall grant the adjustment to be effective only upon the parks providing satisfactory evidence as required by the commission, that all unsatisfactory conditions in the park have been remedied.

(c) Hearings on application for NOI or special adjustment.

(1) Upon receipt of a complete application, including the health and safety inspection, for an NOI adjustment, or a special adjustment under Section 16B.9(d), the commission shall conduct a hearing to act upon the application in accordance with the provisions of this chapter.

(2) The secretary shall notify the park owner, or other person designated on the park's registration, and the park residents of the time, date and place of the hearing. Such notice shall be mailed at least fifteen (15) days prior to the scheduled hearing date.

(d) Conduct of hearings.

(1) All hearings before the commission shall be open to the public.

(2) A scheduled hearing may be continued for a reasonable period of time as determined by the commission upon stipulation of the parties thereto or upon a finding of good cause for such continuance made by the commission.

(3) The time allotted for any hearing may be reasonably limited by the commission. The commission may also reasonably restrict the time allotted to any party or other witness to present evidence or testimony.

(4) At the hearing the commission shall hear all offered testimony and receive all offered documentary evidence relevant to the application.

(5) Any party to a hearing may have assistance in presenting evidence and testimony and developing their position from attorneys, experts or such other persons as may be designated by such party.

(6) In addition to any testimony and evidence offered at the hearing by any of the parties, the commission may consider any other relevant evidence, as determined by the commission.

(7) At the fair return review hearing, the commission shall consider all relevant, available evidence, including, but not limited to:

- a. Changes in the Consumer Price Index;
- b. Rent for comparable mobilehome spaces in the city of Woodland;
- c. The length of time since the last rent increase or rent adjustment;
- d. Capital improvements made to the park and the costs for such improvements;
- e. Changes in property taxes or other assessed taxes to the park;
- f. Rent paid by park owner/applicant for leased land;
- g. Changes in utility charges or rates;
- h. Changes in reasonable operating and maintenance expenses;
- i. The need for repairs caused by circumstances other than ordinary wear and tear;
- j. The amount and quality of services and amenities provided by the park owner applicant to the residents of the park;
- k. The park owner/applicant's investment, additional investments, appreciation, depreciation, and possible tax benefits; and

1. Any particular hardship circumstances of the park owner/applicant or the residents.

It shall be the responsibility of the applicant for a special adjustment to provide any such evidence available to him or her upon request by the commission.

(e) Determination of allowable adjustment by the commission.

(1) The commission shall render its written findings and decision on the application within such time period as provided by this chapter.

(2) The commission shall grant such space rent ceiling adjustment as it determines, in its sole discretion, is appropriate based upon its findings.

(3) Any space rent ceiling adjustment granted by the commission shall become effective in accordance with the provisions of this chapter.

(4) No NOI or spectral adjustment shall become effective until the park has passed the health and safety inspection provided in subsection 16B.14(b)(1).

(f) Hearing fees.

(1) The city council shall set appropriate hearings fees by resolution.

(2) There shall be no required fee for an annual permissive adjustment or pass-through application.

(3) A park owner submitting an application for an NOI adjustment or a special adjustment shall submit with the application a hearing fee as determined by resolution of the city council. The application shall not be complete unless and until such fee is received by the commission secretary.

In the event the park owner is granted the NOI adjustment requested in the application, or in the event the park owner is granted any special adjustment at the fair return hearings, the park owner shall be entitled to pass through the hearing fee to the residents of the park along with the adjustment granted, only to the extent, if any, such pass-through is included in the decision of the commission.

(g) Uniform application procedure.

(1) Beginning January 1, 2003, all applications for annual permissive or NOI adjustments shall be received by the commission secretary on or before March 1st of each year.

(2) Applications that are complete on or before March 15th shall be set for hearing and heard by the commission no later than April 30th in the year the application is submitted. The decision of the commission with respect to any such application shall be issued no later than April 30th of that year, and the effective date of any allowable increase shall be no earlier than July 1st of the year.

(3) An application shall be deemed complete when (a) the park is current in all registration and registration fee requirements, (b) the completed application has been submitted to the commission, (c) all supporting material, as required by the commission, has been received by the commission, and (d) the commission has received the required hearing fee, if applicable.

(4) If the application is not complete on March 15th, the hearing may be delayed until thirty (30)

days after the application is complete. In such instances any rent increase shall be effective sixty (60) days after any adjustment is granted by the commission.

(5) Applications for a special adjustment pursuant to Section 16B.9(d) may be submitted at any time. A hearing on the application for special adjustment shall be

held within sixty (60) from the date the completed application is received by the commission, and the decision of the commission issued no later than ninety (90) days from such date. The effective date of any allowable adjustment shall be no earlier than sixty (60) days from the date the special adjustment is granted.

(h) Miscellaneous additional provisions.

(1) No NOI or special adjustment shall be granted unless supported by the preponderance of the evidence submitted at the hearing.

(2) The commission shall render its written findings and decision on the application within fourteen (14) calendar days from the date of the close of the hearing or as otherwise provided in this chapter. The secretary shall send a copy of the commission's findings and decision to the park owner or other person designated on the park's registration and to such residents as may request such findings and decision.

(3) Pursuant to its findings, the commission shall grant such space rent ceiling adjustment as is justified thereby. The decision of the commission shall be final.

(4) Any space rent adjustment granted by the commission shall become effective immediately unless otherwise specified by the commission or provision of this chapter.

#### **Sec. 16B.15. Miscellaneous provisions.**

(a) Refusal of manufactured home resident to pay space rent. A manufactured home resident may refuse to pay any space rent which is in violation of this chapter. Such a violation shall be a defense in any action brought to recover possession of manufactured home space or to collect the illegally charged space rent.

(b) Restraining or enjoining violations. The city of Woodland, manufactured home residents thereof, or manufactured home park owners therefor, may seek relief from the appropriate court to restrain or enjoin any violation of this chapter or the rules and regulations or decisions of the commission.

(c) Suspension of provisions.

(1) The provisions of this chapter shall remain in full force and effect unless and until the space vacancy rate of all manufactured home parks regulated hereunder, except as provided below, exceeds five (5) percent. The space vacancy rate shall be calculated by dividing the total number of rental spaces in the applicable parks into the total number of such spaces, which are not occupied by manufactured homes. Parks which have not been in operation for more than two (2) years from the date of occupancy of the first manufactured home, not including manufactured homes occupied by park owners or employees thereof, shall not be included in the vacancy calculation.

(2) Upon recognition by the city council by resolution that the vacancy rate exceeds five (5) percent, the provisions of this chapter shall be suspended. The provisions shall be automatically re-instituted upon the adoption of a resolution by the city council declaring the vacancy rate to be five (5) percent or less.

(d) Civil Code Section 798.17 exemption.

(1) Rental agreements between a park owner and resident, which meet the criteria of Civil Code Section 798.17, are exempt from the rental rate restrictions of this chapter.

(2) For all such rental agreements which expire, the last monthly rental rate charged under the rental agreement shall be the space rent ceiling used to calculate the annual adjustment for that space.

(3) Any other provision or agreement, whether oral or written, in or pertaining to a rental agreement whereby any provision of this chapter or decision or regulation of the commission for the benefit of a resident is waived shall be deemed to be against public policy and shall be void.

(e) Severability. If any provision or clause of this chapter or the application thereof to any person or circumstance is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other chapter provisions or clauses or applications thereof, which can be implemented without the invalid provision or clause or application; and to this end the provision and clauses of this chapter are declared to be severable.

(f) Subpoenas. The city council may issue subpoenas requiring the attendance of witnesses and/or the production of books or other documents necessary for evidence of testimony in any action or proceeding before the commission upon request by the commission. Said subpoenas shall be signed by the mayor or his or her designated substitute and attested by the city clerk. Failure to comply with such a subpoena shall result in contempt proceedings under Government Code Sections 37106 through 37109.

(g) Violation of chapter prohibited. No person, as defined in Chapter 1 of the City Code, shall own, operate or manage any manufactured home park, as defined in Section 16B.2, in violation of any provision of this Chapter 16B. Violation of any provision of this Chapter 16B shall constitute a misdemeanor punishable as provided in the City Code.

(h) Anti-discrimination clause. It is unlawful for a mobilehome park owner, or any agent or representative of the owner, to discriminate against any tenant because of the tenants exercise of any rights under this chapter. It is also unlawful for any mobile home park owner, or any agent or representative of the owner, to discriminate against any purchaser or prospective purchaser of a mobile home because of the purchasers or prospective purchasers choice to enter into a rental agreement subject to the provisions of this chapter.

(i) Remedies. All remedies set forth in this chapter shall be cumulative and nonexclusive.

(j) Repeal. Notwithstanding the provisions of subsection (c) of this section, the City Council may, without voter approval, repeal this entire chapter by a majority vote of its members upon a finding that less than fifty (50) manufactured home park spaces within the City of Woodland are subject to the space rent ceiling.

-end-

# Resident Survey

Idle Wheel / Royal Palm Community Association

*This is the survey mentioned at the Resident meeting. We want to tell the rent control commission how a big rent increase will affect the Residents and how unfair it is for the Park Owners to increase their wealth by taking more money from the Residents. Do not write your name or space number on the survey so nobody will know who filled it out and your information will remain confidential. Please put the survey in the suggestion box located outside the office next to the Community Association sign.*

- 1) How long have you lived here? 6 years
- ~~2) How many people are in your home? 6~~ <sup>3 childrens</sup> 3 Adults
- 3) What's your monthly household income? \$ 2,200
- 4) What's your monthly household expenses? \$ 2,200
- 5) Can you afford to pay more rent? NO, I don't have more money
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES, of course.
- 7) How do you feel about the Park Owner?  
He's a man who doesn't understand  
Humanity and that wants to charge  
us for his responsibilities.

## Encuesta Residente

*Esta es la encuesta mencionada en la reunión de residentes. Queremos decirle a la comisión de control de alquileres cómo un gran aumento del alquiler afectará a los residentes y cómo es injusto para los propietarios de estacionamiento para aumentar su riqueza por tomar más dinero de los residentes. No escriba su nombre o número de espacio de la encuesta así que nadie sabrá que llenó y su información se mantendrá confidencial. Por favor, poner la encuesta en el buzón de sugerencias situado fuera de la oficina junto a la Asociación Comunitaria firmar.*

- 1) Cuánto tiempo has vivido aquí? 9 años
- 2) Cuántas personas viven en tu casa? 3
- 3)Cuál es tu ingreso mensual? 1,500
- 4)Cuál es su gasto mensual familiar? 1,400
- 5) Puede permitirse pagar más renta? NO
- 6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? SI
- 7) Cómo te sientes acerca del propietario de un parque?  
NO creo que es justo el ingreso.

# Resident Survey

*Idle Wheel / Royal Palm Community Association*

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- 1) How long have you lived here? 10 years
  - 2) How many people are in your home? 3
  - 3) What's your monthly household income? 23,646
  - 4) What's your monthly household expenses? 900
  - 5) Can you afford to pay more rent? NO
  - 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES
  - 7) How do you feel about the Park Owner?
-

# Resident Survey

Idle Wheel / Royal Palm Community Association

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any in operable car in the parks should be hauled to the dump.

- 1) How long have you lived here? 20 yrs
- 2) How many people are in your home? ~~5~~ 2
- 3) What's your monthly household income? ~~5800~~ 5800<sup>00</sup>
- 4) What's your monthly household expenses? 4000<sup>00</sup>
- 5) Can you afford to pay more rent? myself - No
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? a single person could not afford to live here - 2 or 3 families can together can do
- 7) How do you feel about the Park Owner?

This is a shon Owner - greedy - no improvements in the past as a edult PK 5★ at the Present 2★

## Resident Survey

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- 1) How long have you lived here? 24 yrs
- 2) How many people are in your home? 3
- 3) What's your monthly household income? 1,600
- 4) What's your monthly household expenses? 800
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES
- 7) How do you feel about the Park Owner?  
NEVER MET HIM/HER

## Encuesta Residente

*Esta es la encuesta mencionada en la reunión de residentes. Queremos decirle a la comisión de control de alquileres cómo un gran aumento del alquiler afectará a los residentes y cómo es injusto para los propietarios de estacionamiento para aumentar su riqueza por tomar más dinero de los residentes. No escriba su nombre o número de espacio de la encuesta así que nadie sabrá que llenó y su información se mantendrá confidencial. Por favor, poner la encuesta en el buzón de sugerencias situado fuera de la oficina junto a la Asociación Comunitaria firmar.*

1) Cuánto tiempo has vivido aquí? 15 years

2) Cuántas personas viven en tu casa? 3

3)Cuál es tu ingreso mensual? 1,090

4)Cuál es su gasto mensual familiar? all

5) Puede permitirse pagar más renta? NO

6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? yes

7) Cómo te sientes acerca del propietario de un parque?

Sad for the Situation

## Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 12 years
- 2) How many people are in your home? 3
- 3) What's your monthly household income? 1700
- 4) What's your monthly household expenses? 1600
- 5) Can you afford to pay more rent? no
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? no
- 7) ~~How do you feel about the Park Owner?~~ he wants to make improvements to the park, so he can get more money. Doesn't want to make improvements for residents.

The park owner is more interested in his own self interests instead of improving the living standards of the park. if he made his residence happy to live in this park, we may be happy to pay a little extra.

## Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 13 YEARS
- 2) How many people are in your home? 1
- 3) What's your monthly household income? 1200.<sup>00</sup>
- 4) What's your monthly household expenses? 1150.<sup>00</sup>
- 5) Can you afford to pay more rent? NO!
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES
- 7) How do you feel about the Park Owner? OWNER IS GREEDY - UNKIND

## Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 27 years
- 2) How many people are in your home? one
- 3) What's your monthly household income? \$909.00
- 4) What's your monthly household expenses? ~~\$800.00~~  
~~\$800.00~~
- 5) Can you afford to pay more rent? NOPE
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? yes
- 7) How do you feel about the Park Owner? DON'T Like Him he's money hungry. my husband passed away and that is what I have to live on.

## Resident Survey

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- 1) How long have you lived here? 17 years
- 2) How many people are in your home? 2
- 3) What's your monthly household income? \$900
- 4) What's your monthly household expenses? \$900
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? Yes
- 7) How do you feel about the Park Owner?  
He is being unfair, and should slowly increase rent starting in a low amount, bit by bit

## Encuesta Residente

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- 1) Cuánto tiempo has vivido aquí? 17 años
- 2) Cuántas personas viven en tu casa? 2 Personas
- 3) Cuál es tu ingreso mensual? \$900
- 4) Cuál es su gasto mensual familiar? \$900
- 5) Puede permitirse pagar más renta? NO
- 6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? Si
- 7) Cómo te sientes acerca del propietario de un parque?

Mal my Mal. Por que eso es injusto eso se debe haser poco a poco.

## Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 1993.
- 2) How many people are in your home? 3
- 3) What's your monthly household income? \$ 800<sup>00</sup>
- 4) What's your monthly household expenses? \$ 420<sup>00</sup>
- 5) Can you afford to pay more rent? NO,
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES,
- 7) How do you feel about the Park Owner?  
he's a Jerk no feelings only think about the money. may the lord help him, change he's mind.

## Resident Survey

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- 1) How long have you lived here? 12 years
- 2) How many people are in your home? 2
- 3) What's your monthly household income? 32,000 per year
- 4) What's your monthly household expenses? 2079
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? Yes
- 7) How do you feel about the Park Owner?  
Very unfair about the rent control  
now he want to increase.

## Resident Survey

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- 1) How long have you lived here? 10 years
- 2) How many people are in your home? 1
- 3) What's your monthly household income? 1440.-
- 4) What's your monthly household expenses? 1393.-
- 5) Can you afford to pay more rent? No
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? Yes
- 7) How do you feel about the Park Owner?  
He repaired the streets, great, but that should be maintenance. Any improvements should be residents' approval. Owner makes enough and Park is not kept up well and well.

# Resident Survey

*Idle Wheel / Royal Palm Community Association*

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- 1) How long have you lived here? 13 yrs
- 2) How many people are in your home? 1
- 3) What's your monthly household income? 1500/
- 4) What's your monthly household expenses? 1240. +
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? yes
- 7) How do you feel about the Park Owner?  
Selfish Not caring about residents and not seeing about upkeep of the park.

## rent Survey

Idle W- Palm Community Association

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- 1) How long have you lived here? 20 Years
- 2) How many people are in your home? 2
- 3) What's your monthly household income? 2000
- 4) What's your monthly household expenses? \_\_\_\_\_
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? yes
- 7) How do you feel about the Park Owner? No Good

## Resident Survey

*Idle Wheel / Royal Palm Community Association*

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- 1) How long have you lived here? 30 yrs.
- 2) How many people are in your home? one
- 3) What's your monthly household income? \$ 900.00
- 4) What's your monthly household expenses? \$ 650.00
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES
- 7) How do you feel about the Park Owner?  
I don't like the idea of Rent increase - I can't afford a rent increase

## Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? owner - 25 yrs.  
tenant - 4 1/2 yrs.
- 2) How many people are in your home? 2
- 3) What's your monthly household income? owner - \$900  
~~owner - \$10,000~~  
tenant - 1,000
- 4) What's your monthly household expenses? ~~owner - \$88.73~~  
tenant - 975.00
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? Yes
- 7) How do you feel about the Park Owner?  
NOT TOO FOND OF HIS ATTITUDE  
TOWARD HIS TENANTS

# Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 15 yrs
- 2) How many people are in your home? 3
- 3) What's your monthly household income? 1897  
~~1892~~
- 4) What's your monthly household expenses? 1762
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? yes
- 7) How do you feel about the Park Owner?  
as a single mother and survivor  
of domestic violence I feel  
assaulted again, significantly  
affect my economy, especially when  
wages do not increase.

# Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 3 years
- 2) How many people are in your home? 3
- 3) What's your monthly household income? \$800 to \$1000
- 4) What's your monthly household expenses? \$300
- 5) Can you afford to pay more rent? No
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES
- 7) How do you feel about the Park Owner?  
HE HAS SHOWN THAT HE HAS NO CONCERN OR EVEN CARES ABOUT THE RESIDENTS OF IDLE WHEEL, SINCE HAS NEVER COME TO INTRODUCE HIMSELF. HE

HE OBVIOUSLY  
DON'T CARE ABOUT OUR  
FINANCIAL STRUGGLES.

# Resident Survey

Idle Wheel / Royal Palm Community Association

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# 115

- 1) How long have you lived here? 15 years
- 2) How many people are in your home? 2
- 3) What's your monthly household income? 1400
- 4) What's your monthly household expenses? 1350.<sup>00</sup>
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? Yes, but dont understand English
- 7) How do you feel about the Park Owner?  
Very nice

## Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 25 years
- 2) How many people are in your home? 2
- 3) What's your monthly household income? 3,000
- 4) What's your monthly household expenses? 2,000
- 5) Can you afford to pay more rent? no
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? Yes
- 7) How do you feel about the Park Owner?  
I think the owner's should  
STOP MAKING MONEY off people  
that can't afford to pay higher rent.  
SHAME on them. The City of Woodland  
should protect their residents from

people that buy into the community  
then raise the RENT.

## Encuesta Residente

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1) Cuánto tiempo has vivido aquí? \_\_\_\_\_

2) Cuántas personas viven en tu casa? \_\_\_\_\_

3) Cuál es tu ingreso mensual? \_\_\_\_\_

4) Cuál es su gasto mensual familiar? \_\_\_\_\_

5) Puede permitirse pagar más renta? \_\_\_\_\_

6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? \_\_\_\_\_

7) Cómo te sientes acerca del propietario de un parque? \_\_\_\_\_

---

## Resident Survey

*Idle Wheel / Royal Palm Community Association*

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- 1) How long have you lived here? 22 years
- 2) How many people are in your home? 4
- 3) What's your monthly household income? 3,000
- 4) What's your monthly household expenses? 2,500
- 5) Can you afford to pay more rent? no
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? yes
- 7) How do you feel about the Park Owner?  
Don't know owner that much

# Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 12 yrs
- 2) How many people are in your home? 3
- 3) What's your monthly household income? ~~1,000~~ 2,300
- 4) What's your monthly household expenses? 1,200  
*rent - P. & C. Insurance & Bills*
- 5) Can you afford to pay more rent? no!
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? yes
- 7) How do you feel about the Park Owner?

I think he's out for money, look at the Big trailer they <sup>he</sup> put in, its nice too Big for lot!

## Encuesta Residente

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- 1) Cuánto tiempo has vivido aquí? 13 años
- 2) Cuántas personas viven en tu casa? 4
- 3)Cuál es tu ingreso mensual? 2200
- 4)Cuál es su gasto mensual familiar? 1900
- 5) Puede permitirse pagar más renta? NO
- 6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? SI
- 7) Cómo te sientes acerca del propietario de un parque?  
Desilusionada

## Encuesta Residente

*Esta es la encuesta mencionada en la reunión de residentes. Queremos decirle a la comisión de control de alquileres cómo un gran aumento del alquiler afectará a los residentes y cómo es injusto para los propietarios de estacionamiento para aumentar su riqueza por tomar más dinero de los residentes. No escriba su nombre o número de espacio de la encuesta así que nadie sabrá que lleno y su información se mantendrá confidencial. Por favor, poner la encuesta en el buzón de sugerencias situado fuera de la oficina junto a la Asociación Comunitaria firmar.*

- 1) Cuánto tiempo has vivido aquí? 20
- 2) Cuántas personas viven en tu casa? 4
- 3) Cuál es tu ingreso mensual? 2,200.<sup>00</sup>
- 4) Cuál es su gasto mensual familiar? 1,800.<sup>00</sup>
- 5) Puede permitirse pagar más renta? no
- 6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? SI
- 7) Cómo te sientes acerca del propietario de un parque?  
No siento nada. No lo conozco. Solo hace acto de presencia cuando va a subir la renta.

## Encuesta Residente

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1) Cuánto tiempo has vivido aquí? 10 Años

2) Cuántas personas viven en tu casa? 4

3) Cuál es tu ingreso mensual? \$1650 =

4) Cuál es su gasto mensual familiar? \$1600 =

5) Puede permitirse pagar más renta? NO

6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? SI

7) Cómo te sientes acerca del propietario de un parque?  
Es muy injusto.

Quiere hacer mas miles de dolares al mes, dejando ~~los~~ a hasta sin comer a los reutereros para poder pagar ese ~~Aum~~

## Encuesta Residente

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- 1) Cuánto tiempo has vivido aquí? 11 Años
- 2) Cuántas personas viven en tu casa? 6
- 3) Cuál es tu ingreso mensual? 1,200
- 4) Cuál es su gasto mensual familiar? 1,600
- 5) Puede permitirse pagar más renta? NO
- 6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? Si
- 7) Cómo te sientes acerca del propietario de un parque?

Triste por que tendremos que vender por que pagamos la renta y la renta y no podríamos cubrir el aumento (pedimos al criador que lo aga cambios)  
bendiciones

## Encuesta Residente

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- 1) Cuánto tiempo has vivido aquí? 4 años
- 2) Cuántas personas viven en tu casa? 4
- 3) Cuál es tu ingreso mensual? \$2.172.00
- 4) Cuál es su gasto mensual familiar? \$2,172.00
- 5) Puede permitirse pagar más renta? NO
- 6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? NO se donde ni como.
- 7) Cómo te sientes acerca del propietario de un parque?  
me siento muy preocupado por que quiere aumentar la renta muy alta.

10-19-16

## Encuesta Residente

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1) Cuánto tiempo has vivido aquí? 11 años

2) Cuántas personas viven en tu casa? 2

3) Cuál es tu ingreso mensual? 600.00

4) Cuál es su gasto mensual familiar? 1,500

5) Puede permitirse pagar más renta? no

6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? \_\_\_\_\_

7) Cómo te sientes acerca del propietario de un parque?

que no queremos, que nos  
suban la renta

## Encuesta Residente

*Esta es la encuesta mencionada en la reunión de residentes. Queremos decirle a la comisión de control de alquileres cómo un gran aumento del alquiler afectará a los residentes y cómo es injusto para los propietarios de estacionamiento para aumentar su riqueza por tomar más dinero de los residentes. No escriba su nombre o número de espacio de la encuesta así que nadie sabrá que lleno y su información se mantendrá confidencial. Por favor, poner la encuesta en el buzón de sugerencias situado fuera de la oficina junto a la Asociación Comunitaria firmar.*

- 1) Cuánto tiempo has vivido aquí? 15 años
- 2) Cuántas personas viven en tu casa? 2
- 3) Cuál es tu ingreso mensual? 1,500
- 4) Cuál es su gasto mensual familiar? 1,400
- 5) Puede permitirse pagar más renta? no
- 6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? SI
- 7) Cómo te sientes acerca del propietario de un parque?  
NO me parece JUSTO

## Encuesta Residente

*Esta es la encuesta mencionada en la reunión de residentes. Queremos decirle a la comisión de control de alquileres cómo un gran aumento del alquiler afectará a los residentes y cómo es injusto para los propietarios de estacionamiento para aumentar su riqueza por tomar más dinero de los residentes. No escriba su nombre o número de espacio de la encuesta así que nadie sabrá que lleno y su información se mantendrá confidencial. Por favor, poner la encuesta en el buzón de sugerencias situado fuera de la oficina junto a la Asociación Comunitaria firmar.*

- 1) Cuánto tiempo has vivido aquí? 14 Años
- 2) Cuántas personas viven en tu casa? 4
- 3)Cuál es tu ingreso mensual? \$1,600
- 4)Cuál es su gasto mensual familiar? \$1,500
- 5) Puede permitirse pagar más renta? NO
- 6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? \_\_\_\_\_
- 7) Cómo te sientes acerca del propietario de un parque? \_\_\_\_\_

No Deben de subir la Renta  
es muy Cero mucho Dinero.

## Encuesta Residente

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- 1) Cuánto tiempo has vivido aquí? 11 años.
- 2) Cuántas personas viven en tu casa? 3.
- 3) Cuál es tu ingreso mensual? \$ 1,500.<sup>00</sup>.
- 4) Cuál es su gasto mensual familiar? \$ 1,450.<sup>00</sup>.
- 5) Puede permitirse pagar más renta? NO.
- 6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? Si.
- 7) Cómo te sientes acerca del propietario de un parque?

pero que es injusto que nos quiera aumentar la renta.

## Encuesta Residente

*Esta es la encuesta mencionada en la reunión de residentes. Queremos decirle a la comisión de control de alquileres cómo un gran aumento del alquiler afectará a los residentes y cómo es injusto para los propietarios de estacionamiento para aumentar su riqueza por tomar más dinero de los residentes. No escriba su nombre o número de espacio de la encuesta así que nadie sabrá que lleno y su información se mantendrá confidencial. Por favor, poner la encuesta en el buzón de sugerencias situado fuera de la oficina junto a la Asociación Comunitaria firmar.*

- 1) Cuánto tiempo has vivido aquí? 10 Years
- 2) Cuántas personas viven en tu casa? 5
- 3) Cuál es tu ingreso mensual? 2,100
- 4) Cuál es su gasto mensual familiar? 2,080
- 5) Puede permitirse pagar más renta? NO
- 6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? YES
- 7) Cómo te sientes acerca del propietario de un parque?  
SIENTO que es UN AVARO y Greedy, Selfish egoista

## Encuesta Residente

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1) Cuánto tiempo has vivido aquí?

3

2) Cuántas personas viven en tu casa?

5

3) Cuál es tu ingreso mensual?

\$ 1,100

4) Cuál es su gasto mensual familiar?

\$ 900, \$ 1,000

5) Puede permitirse pagar más renta?

NO

6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler?

Si

7) Cómo te sientes acerca del propietario de un parque?

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## Encuesta Residente

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- 1) Cuánto tiempo has vivido aquí? 20 AÑOS
- 2) Cuántas personas viven en tu casa? 3
- 3) Cuál es tu ingreso mensual? \$1,800.00
- 4) Cuál es su gasto mensual familiar? \$ 1,500.00
- 5) Puede permitirse pagar más renta? NO
- 6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? SI
- 7) Cómo te sientes acerca del propietario de un parque?

INJUSTO que Suban la Renta

## Encuesta Residente

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1) Cuánto tiempo has vivido aquí? 4 años

2) Cuántas personas viven en tu casa? 3

3) Cuál es tu ingreso mensual? 400

4) Cuál es su gasto mensual familiar? 2.50

5) Puede permitirse pagar más renta? no

6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? no

7) Cómo te sientes acerca del propietario de un parque?

mal por que yo no puedo con mas pagos

## Encuesta Residente

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- 1) Cuánto tiempo has vivido aquí? 11
  - 2) Cuántas personas viven en tu casa? 3
  - 3) Cuál es tu ingreso mensual? 1700
  - 4) Cuál es su gasto mensual familiar? 1200
  - 5) Puede permitirse pagar más renta? NO
  - 6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? NO
  - 7) Cómo te sientes acerca del propietario de un parque?
-

## Encuesta Residente

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1) Cuánto tiempo has vivido aquí? 14 años

2) Cuántas personas viven en tu casa? 4

3) Cuál es tu ingreso mensual? \$ 2,400

4) Cuál es su gasto mensual familiar? \$ 2,000 - 2,300

5) Puede permitirse pagar más renta? No

6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? SI

7) Cómo te sientes acerca del propietario de un parque?

Siento que es injusto siempre e  
pagado a tiempo pagamos todos nuestros  
servicios y tratamos de cuidar nuestro  
porque.

# Resident Survey

*Idle Wheel / Royal Palm Community Association*

*This is the survey mentioned at the Resident meeting. We want to tell the rent control commission how a big rent increase will affect the Residents and how unfair it is for the Park Owners to increase their wealth by taking more money from the Residents. Do not write your name or space number on the survey so nobody will know who filled it out and your information will remain confidential. Please put the survey in the suggestion box located outside the office next to the Community Association sign.*

- 1) How long have you lived here? 4 yrs
- 2) How many people are in your home? 2 ~~1~~
- 3) What's your monthly household income? 2500
- 4) What's your monthly household expenses? 2200
- 5) Can you afford to pay more rent? No
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? Yes
- 7) How do you feel about the Park Owner?  
COMBATIVE, ARROGANT

## Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 43 YEARS
- 2) How many people are in your home? 1
- 3) What's your monthly household income? 2,100
- 4) What's your monthly household expenses? 2,100
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES
- 7) How do you feel about the Park Owner?  
They have closed the laundry. The facilities for the swimming pool are disgraceful. There are few guest parking spots. Cars are parked for months and are not moved. Fire department had no access

# Resident Survey

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- 1) How long have you lived here? 9 years
- 2) How many people are in your home? 4
- 3) What's your monthly household income? 1088.00
- 4) What's your monthly household expenses? 975.00
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? yes
- 7) How do you feel about the Park Owner?  
I don't know him/her.

## Resident Survey

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- 1) How long have you lived here? 23 yrs
- 2) How many people are in your home? 1
- 3) What's your monthly household income? \$1410
- 4) What's your monthly household expenses? 71375
- 5) Can you afford to pay more rent? No!!!
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? Yes
- 7) How do you feel about the Park Owner? - Negative!  
Has not made improvements.

## Encuesta Residente

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- 1) Cuánto tiempo has vivido aquí? 14 años
- 2) Cuántas personas viven en tu casa? 2
- 3) Cuál es tu ingreso mensual? 2800,=
- 4) Cuál es su gasto mensual familiar? 1,600,=
- 5) Puede permitirse pagar más renta? NO!
- 6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? SI!
- 7) Cómo te sientes acerca del propietario de un parque?

Preocupado

## Encuesta Residente

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1) Cuánto tiempo has vivido aquí? 9 años

2) Cuántas personas viven en tu casa? 1

3) Cuál es tu ingreso mensual? 1,800

4) Cuál es su gasto mensual familiar? 1,500

5) Puede permitirse pagar más renta? NO

6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? Si,

7) Cómo te sientes acerca del propietario de un parque?

Injusto y descontento.

## Encuesta Residente

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- 1) Cuánto tiempo has vivido aquí? 15
- 2) Cuántas personas viven en tu casa? 1
- 3) Cuál es tu ingreso mensual? 1100
- 4) Cuál es su gasto mensual familiar? 1040
- 5) Puede permitirse pagar más renta? NO
- 6) Ya a asistir a la audiencia de control de alquileres y exigen que se les deje este injusto aumento de alquiler? SI
- 7) Cómo te sientes acerca del propietario de un parque?

Que es injusto el aumento del  
alquiler. Los que ya no trabajamos  
no podemos pagar mas

## Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 15 years
- 2) How many people are in your home? 2
- 3) What's your monthly household income? \$ 2,000
- 4) What's your monthly household expenses? \$ 1,500.00
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? ?
- 7) How do you feel about the Park Owner?  
NO OPINION  
DON'T KNOW WHO IT IS

## Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 22 yrs
- 2) How many people are in your home? 2
- 3) What's your monthly household income? 1600<sup>00</sup>
- 4) What's your monthly household expenses? 1600<sup>00</sup> +
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? yes
- 7) How do you feel about the Park Owner?  
Park owners have not done any improvements that would justify the rent increase. everything is falling apart. Haven't had pool furniture in over 15 yrs. Streets are awful to drive on.

## Resident Survey

*Idle Wheel / Royal Palm Community Association*

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- 1) How long have you lived here? 21
- 2) How many people are in your home? 4
- 3) What's your monthly household income? 2,000
- 4) What's your monthly household expenses? 1,700
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES
- 7) How do you feel about the Park Owner?  
He does not care about people.  
We have a fix income, we can not  
pay more rent 😞

## Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 8 yrs.
- 2) How many people are in your home? 3
- 3) What's your monthly household income? 900.00
- 4) What's your monthly household expenses? 1,200.00
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? yes
- 7) How do you feel about the Park Owner?  
they are unjust

# Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 37 YR.
- 2) How many people are in your home? 2
- 3) What's your monthly household income? \$800<sup>00</sup>
- 4) What's your monthly household expenses? \$720<sup>00</sup> OR MORE AT TIME
- 5) Can you afford to pay more rent? \$420<sup>00</sup> OR LESS
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES
- 7) How do you feel about the Park Owner?  
NOT TO GOOD AT THIS TIME  
AND GET PEOPLE IN HEAR THAT  
WILL DO WHAT THEY THINKST

## Resident Survey

Idle Wheel / Royal Palm Community Association

*This is the survey mentioned at the Resident meeting. We want to tell the rent control commission how a big rent increase will affect the Residents and how unfair it is for the Park Owners to increase their wealth by taking more money from the Residents. Do not write your name or space number on the survey so nobody will know who filled it out and your information will remain confidential. Please put the survey in the suggestion box located outside the office next to the Community Association sign.*

- 1) How long have you lived here? 17 yrs.
- 2) How many people are in your home? 2
- 3) What's your monthly household income? 3078.00
- 4) What's your monthly household expenses? 2836.46
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES
- 7) How do you feel about the Park Owner?  
I feel he doesn't care about the residents, and I feel it's discrimination against low income-families, by forcing them out.

## Resident Survey

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- 1) How long have you lived here? 4 YEARS
- 2) How many people are in your home? 3
- 3) What's your monthly household income? 2450.00
- 4) What's your monthly household expenses? 1800.00
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES
- 7) How do you feel about the Park Owner?  
CANNOT BE TRUSTED

## Resident Survey

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- 1) How long have you lived here? since 2009
- 2) How many people are in your home? 2 elderly
- 3) What's your monthly household income? varies - usually around 1800
- 4) What's your monthly household expenses? varies - but never enough for savings
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? No - writing a letter
- 7) How do you feel about the Park Owner?  
not impressed

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- 1) How long have you lived here? Since 4/2004
- 2) How many people are in your home? Four
- 3) What's your monthly household income? 2648
- 4) What's your monthly household expenses? 2600
- 5) Can you afford to pay more rent? No
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? Yes
- 7) How do you feel about the Park Owner?  
Want to grab money unfairly and want to be rich overnight. Previous owner was in profit and used to increase annually as per law (i.e. 1.58% -

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- 1) How long have you lived here? 28 YEARS
- 2) How many people are in your home? 1
- 3) What's your monthly household income? \$1,428.00
- 4) What's your monthly household expenses? 1,200.00
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES
- 7) How do you feel about the Park Owner?  
I do not personally know the park owner, but do hope he or she would reconsider such a drastic increase to our space rent.

## Resident Survey

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- 1) How long have you lived here? since 1995
- 2) How many people are in your home? 1
- 3) What's your monthly household income? # 899.00
- 4) What's your monthly household expenses? \$899+more
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? yes
- 7) How do you feel about the Park Owner?  
greedy & untrustworthy

## Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 11 years
- 2) How many people are in your home? 5
- 3) What's your monthly household income? 1600
- 4) What's your monthly household expenses? 1,200
- 5) Can you afford to pay more rent? Not Really
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? Yes, if I can
- 7) How do you feel about the Park Owner?  
Distanced & Greedy

# Resident Survey

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- 1) How long have you lived here? 40 YRS
- 2) How many people are in your home? ONE
- 3) What's your monthly household income? \$839.34
- 4) What's your monthly household expenses? \$657.50
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES
- 7) How do you feel about the Park Owner?  
HE IS A MONEY-HUNGRY, UNFAIR OWNER WHO THINKS HIS MAINTENANCE COSTS ARE TO BE PAID BY PARK RESIDENTS. MY \$417/MO (SPACE) + \$160/MO. WOULD BE A 38% INCREASE; IF \$180/MO., THE INCREASE WOULD BE 43%... AND I'D BE HOMELESS.

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- 1) How long have you lived here? 4 years
- 2) How many people are in your home? 3 people
- 3) What's your monthly household income? \$943
- 4) What's your monthly household expenses? \$920
- 5) Can you afford to pay more rent? No
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? Yes
- 7) How do you feel about the Park Owner?  
He has no humanity and expect us to pay for what he should

## Resident Survey

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**NOBODY FOLLOWS ANY PARK RULES!**

- 1) How long have you lived here? 35 YRS
- 2) How many people are in your home? 2
- 3) What's your monthly household income? 2400
- 4) What's your monthly household expenses? 1850
- 5) Can you afford to pay more rent? NO  
WILL NOT PAY MORE WHEN NEIGHBORS HOUSE IS A DUMP. & YARD IS FULL OF JUNK
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES & YES
- 7) How do you feel about the Park Owner?  
LIAR.. SAID WANTED TO FIX STREET & NO RISE IN RENT  
GREEDY.. CARING NOW FOR X-TRA PARKING, STORAGE  
(WAS FREE) HAS LET KIDS PARKS DRY UP & CANT  
USE.. OTHER OWNER KEPT PARK UP.  
HE HAS NOT & WANTS MONEY!! WE PAY WATER SEWER  
& GARBAGE @ HI PRICE

10/19/16

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Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 15-YRS
- 2) How many people are in your home? 1
- 3) What's your monthly household income? 1,400<sup>00</sup>
- 4) What's your monthly household expenses? thats personal ---
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? Maybe
- 7) How do you feel about the Park Owner?  
NEVER MET - Don't know "who" the owner of Idle Wheel MHP is ??

Oct. 19, 2016

# Resident Survey

Idle Wheel / Royal Palm Community Association

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- 1) How long have you lived here? 10 YEARS
- 2) How many people are in your home? 2
- 3) What's your monthly household income? \$ 2,200
- 4) What's your monthly household expenses? 1,400
- 5) Can you afford to pay more rent? NO
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? Wish I could get off work to late
- 7) How do you feel about the Park Owner?  
DON'T KNOW THEM BUT IF THEY RAISE RENT SURE WOULD BE HARD ON US

## Resident Survey

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- 1) How long have you lived here? 27 years
- 2) How many people are in your home? 1
- 3) What's your monthly household income? 1,200
- 4) What's your monthly household expenses? 1
- 5) Can you afford to pay more rent? No
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? I'm Disabled
- 7) How do you feel about the Park Owner?  
not so good

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- 1) How long have you lived here? 17 yrs
- 2) How many people are in your home? Two
- 3) What's your monthly household income? 2700<sup>00</sup>
- 4) What's your monthly household expenses? 8100 w/ bus  
~~1500<sup>00</sup>~~
- 5) Can you afford to pay more rent? Very Difficult
- 6) Will you attend the rent control hearing and demand they stop this unfair rent increase? YES
- 7) How do you feel about the Park Owner?

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8. TALK ABOUT MAINTENANCE VS. IMPROVEMENTS