

From: [REDACTED]
To: [Marcus, Adam](#)
Subject: letter against "opt-in" concept
Date: Monday, January 11, 2016 12:43:31 PM

To Adam Marcus, Department of Housing:

Dear Adam,

We are writing to express our fears regarding the proposed "Opt-In Stay-In-Business" policy regarding mobile home parks in the city of San Jose.

Under our current contract with Mountain Springs park owners, we now pay more than \$1,000 each month for space rent. In 10 years our rent has increased almost \$400 per month and in the past four years Social Security has NOT increased. As residents, **we** pay for the water, gas, electric and garbage fees. The space rent is to cover maintenance and upkeep of the streets, common grounds, pool area and clubhouse. The park does not maintain our front, back or side yards; it only monitors that street drains are kept clear of leaves.

Park owners have been collecting substantial fees since the park's inception and should have been budgeting for maintenance and upkeep of infrastructure all along. To pass their own expenses on to those who have been paying the escalating space rents of 3% per year in good faith is unethical and unconscionable. Any successful business MUST budget for occasional large expenses and repairs due to aging. That is just good business planning.

It is well known that mobile home parks are considered 'cash cows' and for the owners to insist the residents pay for capital improvements only proves they are unwilling to open their books for inspection. They know better.

Additional concerns surround the questions of who and how costs to be "passed through" would be defined, determined and approved or denied. How incredibly complex such processes would have to be if they were to be fairly and conscientiously governed.

Those who live in parks like ours are seniors on a non-alterable budget. Others who live in all-age parks mainly do so in view of limited budget as well.

Our home was purchased with the major portion of our retirement savings. We also invested in our property by upgrading the inside of the home since it had not been touched since 1980. We budgeted with the San Jose rent control policy in mind. Meanwhile, if this policy were to pass and rising park residential costs/rents decrease the value of our home, selling it may not even net enough to buy another home – anywhere.

Please consider the absolute inequity of asking tenants to bear park owners' expenses above and beyond those already provided in the city rent control laws. The city of San Jose already has way too many homeless residents as well as those living below poverty levels.

We appreciate your serious consideration of this matter.

Ronald and Marjorie Lundberg

[REDACTED]
San Jose, CA 95136

Fwd: Proposal for San Jose Mobile Home Owners

Haase, Maria

To: Morales-Ferrand, Jacky; Marcus, Adam; ▾

  Reply all | ▾

Wed 1/20/2016 2:07 PM

Inbox

Sent from my iPhone

Begin forwarded message:



Date: January 20, 2016 at 1:52:13 PM PST

 Reply all | ▾  Delete Junk | ▾ ...



January 20, 2016

Ms. Jacky Morales-Ferrand
Director of Housing

Dear Ms. Morales,

Needless to say, I am extremely shocked and disturbed by the proposals being put forth by the owners of Mobile Home parks in San Jose.

I have lived for almost 28 years in Mountain Shadows Mobile Home park. I am a single senior citizen living on social security & a small pension. It goes without saying how hard it is to make ends meet, and even though my space rent is increased by 3% a year, my benefits certainly have not increased that much each year. In fact, social security had no increase this year & yet everything else has risen substantially.

The healthcare system in this country is a joke and proving more expensive each year. This year alone my premiums are twice the cost of last year and I've just started taking a new prescription which is outrageously expensive. I am in fear & trepidation of what it will all cost by the end of this year. Now the park owners want to increase our rent plus charge us for capital improvements as well?? I couldn't possibly remain here if that were to happen and more than likely would have to move far away from my family & friends, all of whom play a major role at this stage of my life - 73 years old.

My church home is within walking distance of Mountain Shadows, my children & grandchildren are all living in San Jose, and I volunteer my time helping children who live in an under-privileged neighborhood, which also is within walking distance from my home. Can you imagine having to leave my entire life behind because of sheer greed from money hungry park owners? How disturbing is that??

We need more affordable living in San Jose, NOT less.

These proposals would present an unimaginable hardship on me and the many other senior citizens & other residents I have spoken with, not to mention the health issues this could cause.

Thank you for your consideration.

Amanda Schader

[REDACTED]

San Jose, CA 95136

Mobile home park preservation committee and staff.

Sherman Adams [REDACTED]

Fri 1/15/2016 5:22 PM

To:Nusbaum, Jenny <Jenny.Nusbaum@sanjoseca.gov>; Marcus, Adam <adam.marcus@sanjoseca.gov>;

 2 attachments (788 KB)

Mobile_Home_manor.png; Winchester Ranch.jpg;

Dear Jenny & Adam

The opt-in/ Stay in business board voted last night to stop any further efforts related to this plan. Don't adopt a stance that this is a final death blow to the Opt-In/Stay in Business proposal. It will still go to the city council on February 9th. So have a show of force at the City Council Chambers at 1:00 pm on this date. Remember, there is strength in numbers.

Here below is a copy of my email this morning to the mayor and my district councilman.

Today at 1:46 PM

Dear Mayor and City Council Persons; Having been present over the last few months at most of the meetings concerning the mobile home parks which are up for sale, There are several things which are becoming apparent.

(A.) The park owners are trying to come up with a plan to increase their bottom line.

1. The process of trying to get their residents to blindly give them the authority to make park improvements with out any questions related to the cost, and the frequency of upgrades are asinine and completely disregards the fact that there is a process currently in place for the mobile home community owners and operators to use for needed upgrades.
2. The promise, " We Will Remain In Business" is another form of a shell game on behalf the park owners. They want this program to succeed without them being required to open their books in order for all the stake holders to see if the are financially able to make such a guarantee.
3. Vacancy Decontrol, Is the real issue in this plan! Vacancy Decontrol would weaken rent control. This item would make it more difficult for qualify for park approval, a loan for a mobile home, existing price of in place mobile homes and ultimately lower the number of affordable housing units available in San Jose, and I fear, set in place a domino effect of similar circumstances in other areas surrounding San Jose.

(B) In summation of these issues, potential park closures at this time is fueled by current rents in the Silicon Valley which in many cases are in the \$2500 to \$3000 range for many 1 bedroom apartments. Mobile home parks offer families the opportunity to have a pet, a small yard, privacy, and a community feeling of a conventional subdivision neighborhood which is not the case in high density developments. Most of our mobile park owners were quite happy to own these parks in past years and were considered a very good investments when the real estate market was down. Maybe it time to start looking at under developed areas surrounding our city for additional high density developments and let our current mobile

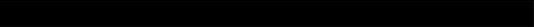
1/19/2016

Mobile home park preservation committee and staff. - Marcus, Adam

home community residents live where they currently reside to go to sleep peacefully at night. Thank you in advance for reading this message.

Sincerely
Sherman Adams
Concerned Mobile Home Park Resident

PS. Below are a couple of Photos of Mobile home parks. the first is a section of Mobile Home Manor and RV Park while the second is Winchester Ranch. Please don't sense this as my being condescending toward the small trailer park because it is a home to their residents but as you see in the 2nd photo of Winchester Ranch these homes are not easily relocated. My understanding is that the first park is one that would probably opt out of the program.

Sincerely Sherman Adams 

FAIR HOUSING LAW PROJECT

Law Foundation of Silicon Valley

152 North Third Street, 3rd Floor

San Jose, California 95112

Fax (408) 293-0106 • Telephone (408) 280-2435 • TDD (408) 294-5667

January 13, 2016

Via Electronic Mail

Housing and Community Development Commission

San José City Hall

200 East Santa Clara Street

San José, CA 95113

**Re: HCDC Meeting, January 14, 2016
Agenda Item “g.”, Mobilehome “Opt In/Stay in Business” Concept**

Dear Chair, Vice Chair and Members of the HCDC:

The City Council directed the Housing Department to meet with mobilehome park owners and stakeholders to discuss the “Opt-In/Stay in Business” concept that a group of mobilehome park owners proposed. The Opt-In/Stay in Business concept/proposal has never been part of the mobilehome preservation workplan that Council approved since the workplan seeks to advance three *land-use* related policy and ordinance changes.

Housing Department staff has requested that the HCD Commission provide a recommendation regarding whether it should continue to work with stakeholders to further refine and analyze this concept proposal or if the Housing Department should cease working on this item. For all of the following reasons, we urge the HCD Commission to recommend to City Council that staff cease working on this item.

To the best of our knowledge, the Opt-In/Stay in Business proposal has never been tested or adopted by any other City. While we recognize the many thoughtful efforts that went into this proposal, it remains overly conceptual with many important questions left unanswered. Even park owner don't seem interested in pursuing the proposal. During a January 4, 2016, focus group meeting designed specifically to obtain owners' input regarding the concept, a representative for park owners announced that they would not be participating. Park owners also requested that the City cancel the January 5, 2016, park residents' focus group meeting.

At first blush, the Opt-In/Stay in Business concept may sound appealing to some in our community. However, as we considered questions related to the proposal, it became evident that mobilehome residents will bear all or at least significant risks if this proposal were to be adopted. For example, to keep their homes for a fixed period of time, like for 10 or 20 years, park residents must give up important rights under the existing Mobilehome Rent Ordinance. Park residents and licensed real estate salespersons have testified that it is very difficult

Housing and Community Development Commission

Re: HCDC Meeting, January 14, 2016

Agenda Item. "g", Mobilehome "Opt In/Stay in Business" Concept

January 13, 2016

Page 2 of 2

to attract buyers to and/or finance mobilehomes in parks that are or perceived to be closing. Whether through increased rent requirements, vacancy decontrol, or the perception or reality that their park will close in 10 or 20 years, the value of residents' mobilehomes will decrease dramatically.

Based on all of the above, we urge the HCD Commission to recommend to City Council that staff cease working on this item. This proposal is untested, forces park residents to bear all or at least significant risks, and is something that even park owners have walked away from.

Thank you for considering the Law Foundation's comments. I welcome the opportunity to discuss our letter with members of the HCD Commission. I may be reached at dianac@lawfoundation.org and 408-280-2448.

Sincerely,

/s/

Diana E. Castillo
Senior Attorney

From: Mike Graves [REDACTED]
Sent: Saturday, January 16, 2016 3:18 PM
To: Lee Thompson
Cc: Lopez, Robert (HSG); Morales-Ferrand, Jacky
Subject: RE: HCDC Opt-in/Stay in Business Vote

Lee

Thank you for taking time to further explain your thoughts on this complex issue...

I appreciate your thoughts and understanding of the issue and your willingness to work on the subject and to offer insight...

I look forward to working with you and others on this issue in the future

Again Thanks

mike r graves
[REDACTED]

From: [REDACTED]
Subject: HCDC Opt-in/Stay in Business Vote
Date: Sat, 16 Jan 2016 13:33:22 -0800
CC: Robert.Lopez@sanjoseca.gov; Jacky.Morales-Ferrand@sanjoseca.gov
To: MikeRGraves [REDACTED]

Mike:

I am sending you this email to further describe my reasoning in making my motion that the HCDC recommend to the HDC and City Council that City staff cease working on the Opt-in/Stay in Business Concept for mobilehome parks. I am copying Housing staff on this email so that they can include it in their future presentations should they so desire.

Briefly stated, I believe that considering such a program is a good idea but I do not believe that any further public resources -including City staff time -should be devoted to those efforts at this time.

I think that the next step should be that either Mobilehome Park Owners or Mobilehome Park Residents, or a combination of the two, should develop

a **detailed** Opt-In/Stay in Business plan or program and present that to the City. A sort of "straw man" that city staff and the public can consider and discuss.

This view is based on the following:

- The initial concept was something that was raised by the Mobile Park Owners themselves. They (the Mobilehome Park Owners) are the ones with the most to gain from any such program. Since the Park owners will be the ones with the choice of whether or not to "opt-in", the park owners should be the ones who create and present a detailed proposal such that they can assure the city that a least some owners will opt into.

- It is obvious that the Park owners will need to receive some form of "compensation" or "quid pro quo" or incentive for agreeing to continue the operation of their property as mobilehome park property for a number of years. Whether that incentive is financial or procedural (e.g., relaxed rent control; relaxed process for improvement cost pass throughs, etc.)is something that only the park owners can identify and quantify.

- I would think that the park owners would be smart enough and sensitive enough to know that if they want the City to consider any opt in proposal they would have to get Park residents at least somewhat on board before presenting a detailed proposal to the city. There are only two possible sources for the "compensation": the city or the park residents - thus I suggest a proposal coming to the city from the owners only after it has been vetted with the residents by the owners.

- If the city wants to play a role in the development of the initial detailed proposal, that role might be to see if someone at Stanford or San Jose State might take on the task of studying and developing a proposal as part of an economic/social/business school challenge. Some bright scholar could make quite a name for himself/herself by successfully undertaking such a challenge.

Lee Thompson