



## COUNTY OF SAN MATEO DEPARTMENT OF HOUSING

# Notice of Mobilehome Rent Control Ordinance

All mobilehome parks located within the unincorporated area of San Mateo County are subject to the Mobilehome Rent Control Ordinance, Chapter 1.30 of the San Mateo County Ordinance Code (the “Ordinance”), which limits rent increases for qualifying mobilehome spaces.

A complete version of the Ordinance can be found at the San Mateo County Department of Housing website: <http://housing.smcgov.org/mobile-home-parks>.

## About the Ordinance

### Purpose:

The County of San Mateo adopted the Ordinance to protect residents of mobilehome parks from unreasonable space rent increases while, at the same time, recognizing the need of mobilehome park owners to receive a just and reasonable return on their investment.

### Who is Covered:

The Ordinance applies to mobilehome parks which are either (1) located within the **unincorporated area** of San Mateo County or (2) by agreement are bound by the Ordinance. For a current list of all mobilehome parks covered by the Ordinance, please visit the Department of Housing’s website at <http://housing.smcgov.org/mobile-home-parks>.

The Ordinance applies to leases of spaces in covered mobilehome parks for terms of **twelve (12) months or less**. If you have a lease for term longer than twelve months, your lease is not covered by the Ordinance. However, mobilehome park owners are not allowed to require tenants to accept lease terms longer than twelve (12) months.

### Rent Charges and Rent Increases:

Under the Ordinance, the rent for a covered mobilehome space is based on rents that were in effect **on July 1, 2003**. The Ordinance allows rents increases **once** every twelve (12) months by an amount no greater than 75% of the percent change in the Consumer Price Index, or 5%, **whichever is less**. These limits on rent increases apply regardless of whether there is a change in ownership or change of tenant. A mobilehome park owner can petition for a larger rent

increase under certain circumstances. (Ord. Code, § 1.30.030.)

A mobilehome park owner can request a rent increase greater than the maximum rent allowed if the owner believes the maximum rent allowed under the Ordinance denies a fair return. The owner may file a petition requesting an additional rent increase and must tell affected tenants when they have filed such a petition (Ord. Code, § 1.30.040.)

A hearing on the owner’s petition will occur between 30 and 120 days after the petition is filed. The mobilehome park owner and all potentially affected tenants will receive notice of the hearing on the petition at least 14 days before the hearing and they have the right to appear and testify at the hearing. Both mobilehome park owners and affected tenants may retain legal and other professional assistance for the hearing. (Ord. Code, § 1.30.060.)

### Services and Maintenance:

If a mobilehome park owner eliminates or reduces services or maintenance that had been provided as of July 1, 2003, then the rent for the affected mobilehome space(s) must be reduced by an amount proportionate to the value of the eliminated or reduced services or maintenance. (Ord. Code, § 1.30.030.2.)

### Tenant Rights:

A tenant can refuse to pay any rent increase if the owner violated the Ordinance. If a tenant refuses to pay a rent that violates the Ordinance, the tenant may raise the violation of the Ordinance as a defense to eviction or to the owner’s attempt to collect the rent increase. (Ord. Code, § 1.30.090.)