

**CITY OF UKIAH  
MOBILHOME RENT STABILIZATION PROGRAM  
FAIR RETURN RENT INCREASE  
PROCEDURES, APPLICATION, & PETITION**

The Ukiah Mobilhome Rent Stabilization Program is governed by Ukiah City Code Division 1, Chapter 8, entitled "Mobilehome Rent Stabilization", adopted on October 20, 2010, City Ordinance No. 1126 (effective 2/4/11).

A Mobilehome Park Owner may file an application seeking to increase space rents 100% of the Consumer Price Index (CPI) to provide a fair return to the park owner (also known as a "Fair Return Increase" or "Fair Rate of Return Increase in Base Rent").

The Clerk of the Ukiah Mobilhome Rent Stabilization Program will administer the Fair Rent Return Application process, as detailed in the Ordinance.

The following is meant to be a *brief summary outline* of the steps in the process, further detailed in §2709, 2710, etc. It, however, in no way trumps the Ordinance.

A. **Notice**. Ten (10) days prior to submission of **Fair Rent Return Application**, or **Petition**, to the Clerk, park owner shall mail or deliver Notice with copy of the Application, or, Petition to all affected park tenants. (Notice shall be on a form specified by the Clerk.) Supporting documents will be available for review at the Park Office, and posted on the City's website. All Notices shall include:

1. Amount of Rent Increase (dollars and percentage of existing rent, etc.)
  - How calculated
  - Itemized
  - Support of increase
  - Summary of net operating income for base year and preceding 24 mos.
  - Effective date of increase
2. Clerk's Name, Address and Phone; Statement to Inform mobilehome owners to contact the Clerk for explanation of this chapter; and that a roster of affected mobilehome owners can be requested from the Clerk.
3. Copy of Official Petition Form.

B. **Application/Petition Forms** are filed with the Clerk on Clerk prescribed form, and accompanied by all supporting material. Form shall include a perjury statement, be dated and signed by the applicant(s), and state the place of execution.

1. Within five (5) working days of receipt, Clerk shall complete preliminary review of application or petition for completeness.
2. Incomplete applications/petitions will be considered improperly filed, and no further action shall take place. Clerk may decline such application and/or return to petitioner immediately after the review with a defects notice.

3. When complete, Clerk sends written notice confirming receipt of complete application or petition to the parties.

4. Capital Replacement/Government Mandated Expenditures. Affected mobilehome tenants shall have 30 days after receipt of confirmation of completed application to file petition with the Clerk objecting to the rent increase. This must be signed by one adult tenant in at least 50 percent of the spaces.

C. Insufficient Objection (Capital Replacement/Government Mandated Pass Throughs). If less than the required number object, or objection is withdrawn—including any amendments—before or after the meet and confer, the Clerk shall approve the requested pass through.

Procedure for Meet & Confer Within 10 working days of Clerk's notice of completed application/petition and prior to Arbitrator assignment, affected owners and tenants shall meet and confer with each other's representatives. Time, place and date of the meeting shall be decided, with written notice given by the applicant or petitioner. Documentary evidence shall be exchanged between the parties at the meeting to support the respective positions/issues in dispute. The Clerk may provide a mediator if requested by the parties. A failure to participate in the meet and confer process may be the basis for denial of an application.

Procedures for Arbitration. Clerk shall give written notice the application/petition has been referred to arbitration, and shall choose three possible Arbitrators. Owner and Resident's Rep may each challenge one candidate, with the one remaining to be the selected Arbitrator. If both parties challenge the same candidate, the Clerk shall choose between the two remaining. The Clerk shall set the arbitration hearing no sooner than 30 days and no later than 40 days after the Arbitrator is assigned. The Clerk will immediately notify in writing the date, time, and place of the hearing.

Arbitrator shall conduct a hearing with the parties/representatives at which the concerns will be discussed; and shall indicate the information needed for a determination, and be supplied by the parties within seven days of the request. Arbitrator will make this information immediately available to the other parties, giving seven days for written comment.

Arbitration Determination. Within 21 days of the hearing, but no later than 90 days from date of owner's rent increase notice, a decision and bill for services will be rendered to the Clerk. The Clerk shall provide the result to the affected parties.

The rent increase in a Fair Return proceeding shall not exceed the increase requested in the application.

Rent Increase Effective Date as approved by the Arbitrator shall be allowed upon the effective date given by the applicant in the notice to the affected mobilehome owners.

Decisions are final and not appealable to the City Council.

Method to determine a Fair Return is detailed in the Ordinance, subsection 2711(C).

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