



INFORMATIONAL REPORT

DATE ISSUED: February 1, 2018

REPORT NO: HCR 18-006

ATTENTION: Chair and Members of the San Diego Housing
Commission for the Agenda of February 9, 2018

SUBJECT: Mobile Home Community Issues Committee Annual Report

COUNCIL DISTRICT: Citywide

NO ACTION IS REQUIRED ON THE PART OF THE HOUSING COMMISSION

SUMMARY

The San Diego Housing Commission (Housing Commission) Mobile Home Mediation/Communication Policy (Policy) requires the submission of an annual report on the impact of the policy and Mobile Home Community Issues Committee (MHCIC) activities. The Policy has been included as Attachment 1. This report covers Fiscal Year 2017 (FY 2017) - July 1, 2016 through June 30, 2017.

BACKGROUND

In 1985, the City of San Diego (City) established a Meet and Confer process for issues arising between mobile home park owners and their tenants. Recognizing the growing tension between mobile home park owners and their tenants on rising rents and their inability to move about the City, the City's Transportation and Land Use Committee (T&LU) requested a Mobile Home Needs Survey on the status of mobile home park issues in 1991. The study was conducted by the Housing Commission in conjunction with the City's Planning Department and the San Diego Association of Governments (SANDAG) and the results were presented to T&LU on February 25, 1991. One of the recommendations was to strengthen the dispute resolution process by creating a mediation process. On September 24, 1991, the Housing Authority of the City of San Diego passed Resolution No. 00578 establishing the MHCIC and the mediation process. The responsibility to administer the MHCIC and any resulting mediation was delegated to the Housing Commission.

The MHCIC serves as an advisory committee and provides a platform for mobile home park owners and their tenants to communicate about issues concerning mobile home parks. Membership of the MHCIC consists of a standing committee of nine members and seven alternate members: four home owners and three alternates, four park owners and three alternates, one neutral party, and one neutral alternate. MHCIC membership terms are two years with no term limits. The MHCIC may make recommendations to the Housing Commission on mobile home policy matters.

The Housing Commission contracts with the National Conflict Resolution Center (NCRC) to convene quarterly MHCIC meetings and provide mediation services for mobile home park owners and their tenants on an as-needed basis. NCRC provides a full range of services, including outreach and information, various levels of dispute resolution to mitigate issues and, when necessary, a formal mediation process.

DISCUSSION

The MHCIC holds quarterly meetings to discuss issues that affect the mobile home community, current mediations, and dispute resolutions that are facilitated by NCRC. NCRC works with MHCIC members and Housing Commission staff to schedule meetings and prepare MHCIC agendas and minutes. NCRC also serves as the neutral member of MHCIC.

During FY 2017, NCRC facilitated MHCIC meetings at its office located at 4305 University Avenue, Suite 110, San Diego, CA 92105. Meetings were held on September 16, 2016, December 6, 2016, March 22, 2017, and June 28, 2017. Topics of general interest to the mobile home community were discussed at these meetings, including mobile home park rules and regulations, tenancy laws, owner/tenant relations, mobile home park operations, role and purpose of the committee, and membership recruitment. No dispute resolutions or formal mediations were conducted during the year.

CONCLUSION

The MHCIC continues to provide input on mobile home issues and helps enhance communication between mobile home park owners, their tenants and the Housing Commission.

Respectfully submitted,

Julia Sauer

Julia Sauer
Director
Special Programs & Compliance

Approved by,

Jeff Davis

Jeff Davis
Executive Vice President & Chief of Staff
San Diego Housing Commission

Attachments: 1) Mobile Home Mediation/Communication Policy

Hard copies are available for review during business hours at the security information desk in the main lobby and at the fifth floor reception desk of the San Diego Housing Commission offices at 1122 Broadway, San Diego, CA 92101 and at the Office of the San Diego City Clerk, 202 C Street, San Diego, CA 92101. You may also review complete docket materials in the “Public Meetings” section of the San Diego Housing Commission website at www.sdhc.org

ATTACHMENT 1

HOUSING COMMISSION MOBILE HOME MEDIATION/COMMUNICATION POLICY

(Revised December, 2006)

1. PURPOSE

- 1.1 Mobile home owners generally have a substantial investment in a residence for which space is rented or leased. Alternate sites for relocation are often difficult to find due to the shortage of vacant spaces, the restrictions of age, size, or style of mobile homes permitted in many parks, and problems related to the installation of mobile homes, including permits, landscaping and site preparation. Additionally, the cost of moving a mobile home is substantial, the risk of damage in moving is significant, and any surrounding improvements are usually sacrificed in the process. This lack of mobility creates a unique relationship between mobile home owners and mobile home park owners.
- 1.2 The Housing Commission desires to help resolve and harmonize disputes that may occur between residents and owners of mobile home parks which may arise from the failure of either party to recognize the property rights of the other or to engage in acts or practices which may jeopardize the public health, safety or interest of one another.
- 1.3 The purpose of this policy is: 1) to establish a mediation process for the resolution of disputes between mobile home owners and mobile home park owners, and 2) to establish a standing committee to advise on unresolved disputes and to address mobile home issues.

2. ADMINISTRATION

- 2.1 Administration of the provisions of this policy shall be under the general direction of the Executive Director of the San Diego Housing Commission.

3. DEFINITIONS

- 3.1 The Housing Commission shall select a mediation entity to conduct mediation services.
- 3.2 Mediation shall mean a voluntary process whereby disputing parties come together with a professionally trained mediator(s) who help(s) them clarify their differences and work to design their own agreement.

- 3.3 Mobile Home shall mean a structure transportable in one or more sections, designed and equipped to contain no more than two dwelling units 'to be used with or without a foundation system. Mobile home does not include a recreational vehicle, travel trailer or commercial coach. Nothing contained in this policy is meant to give retroactive effect to any of the definitions contained herein. If a coach was a mobile home at the time as defined by statute, said coach continues to be a mobile home notwithstanding the changed definition.
- 3.4 Mobile Home Owner or Home Owner shall mean a person who has a tenancy in a mobile home park.
- 3.5 Mobile Home Park owner shall mean the owner of a mobile home park or an agent or representative authorized to act on his or her behalf in connection with matters relating to a tenancy in a mobile home park.
- 3.6 Mobile Home Community Issues Committee shall mean a board of nine members and seven alternates appointed by the Housing Commission to conduct meetings on disputes unresolved by mediation and to address mobile home issues in general.
- 3.7 Mobile Home officer shall mean the Housing Commission staff member assigned the responsibility of coordinating with mediation consultant scheduling meetings, preparing agendas and reports, and other related activities as required by the Committee.

4. INITIATION OF MEDIATION PROCESS

- 4.1 Any Mobile Home Owner and any Mobile Home Park Owner may initiate the mediation process by telephoning or by Filing a "Request for Mediation" form with the mediation entity. Both parties shall attempt to resolve disputes prior to seeking mediation.

5. MEDIATION

- 5.1 The mediation entity shall schedule mediation within a reasonable number of days of receipt of a mediation request.
- 5.2 Mediation shall be conducted in accordance with standard mediation procedures.
- 5.3 Only the appointed mediator (s) and no more than six representatives each chosen by the Mobile Home Owners and the Mobile Home Park owners may attend the

mediation. The representatives for each party shall attend the scheduled mediation and present any applicable information.

- 5.4 Mediation is to be completed no later than 60 days after the first meeting, as scheduled in 5.1.
- 5.5 If no agreement is reached through mediation, a meeting will be scheduled before the Mobile Home Community Issues Committee upon the request of one or both parties.

6. COST OF MEDIATION

- 6.1 Funding for mediation services shall be provided by the Housing Commission for the first year of operation with subsequent funding to be determined by the Commission on an annual basis. Donations to defray the cost of mediation will be accepted.

7. MOBILE HOME COMMUNITY ISSUES COMMITTEE

- 7.1 The Committee shall consist of nine members and seven alternate members: four Mobile Home Owners and three alternates, four Mobile Home Park Owners and three alternates and one other person with no vested interest in mobile home parks, or owning or managing a mobile home park within the City of San Diego, and one alternate.
- 7.2 For issues requiring a vote of the Committee, such as an unresolved issue referred from mediation, an alternate will vote only in the absence of a regular member.
- 7.3 The Committee members shall be appointed by the Housing Commission for a term of two years except that for the first Committee one Mobile Home Owner and one Mobile Home Park Owner shall serve for three years.
- 7.4 Any Committee member with more than three consecutive unexcused absences will be replaced.
- 7.5 The Committee shall hold regular, public, monthly meetings at a time and place to be determined by the Committee. After six months, meetings may be held quarterly, if that level of frequency is found by the Committee to be sufficient. All meetings of the Committee shall be conducted in accordance with the provisions of the Ralph M. Brown Act.

- 7.6 Scheduling and notices of meetings, record keeping and related activities, shall be the responsibility of the Mobile Home officer.
- 7.7 It shall be the responsibility of the Committee to conduct meetings: (i) at the request of any Mobile Home owner or any Mobile Home Park Owner on issues unresolved by the mediation entity mentioned in Paragraphs 3.1 and all of Paragraph 5 of this policy; (ii), on issues where either party chooses not to use the mediation entity; and, (iii) to address mobile home issues in general.
- 7.8 The presence of Committee members, with at least two Mobile Home Owners and two Mobile Home Park Owners, shall constitute a quorum. The affirmative vote of five members of the Committee is required for Committee recommendation on an issue or dispute.
- 7.9 At the conclusion of a meeting on a dispute, the Committee shall make a nonbinding recommendation to the parties and shall notify both parties of said recommendation by certified mail or by personal delivery.

8. ANNUAL REVIEW

- 8.1 An annual report summarizing the results of this policy will be prepared by the Mobile Home Officer and submitted to the Housing Commission at the end of each fiscal year.