



Good Neighbors

San Diego
Housing Commission

REPORT

DATE ISSUED: November 7, 2006

REPORT NO: HCR 06-98

ATTENTION: Chair and Members of the Housing Commission
For the Agenda of December 15, 2006

SUBJECT: Mobile Home Community Issues Committee Membership

REQUESTED ACTION:

Approve new members and alternates to the Mobile Home Community Issues Committee (MHCIC) and reappoint current members. Update policy to reflect change in Committee membership, and update language to reflect administrative practices.

STAFF RECOMMENDATION:

Appoint six new members and alternates to the Mobile Home Community Issues Committee (MHCIC) and reappoint current Committee members and alternates. Approve new language for Mobile Home Mediation/Communication Policy to: (1) increase membership to four members and three alternates each for mobile home owners and the mobile park owners and (2) reflect administrative practice. See Attachment 1 for proposed Policy changes. Attachment 2 includes new member applications from: Steve Epsten, Park Owner; Russell McJunkin, Home Owner; John Shannon, Home Owner; Charles Gregan, Home Owner; Michael O'Neil; Home Owner; Veronica Montenegro, Neutral Member. Attachment 3 is the recommended slate of committee members.

BACKGROUND:

The Mobile Home Community Issues Committee is an advisory committee which provides a venue for mobile home owners and park owners to communicate on issues concerning mobile homes parks within the City of San Diego. The mobile home mediation/communication process requires the Housing Commission appointment of a standing committee of seven members including three mobile home owners, three mobile home park owners, and one neutral party. In addition, the policy requires appointment of three alternates, including one mobile home owner, one mobile home park owner, and one neutral member. A quorum consists of five members (two park owners, two mobile home owners, and one neutral member). The Housing Commission contracts with the National Conflict Resolution Center to convene quarterly Committee meetings and to provide mediation services for mobile home owners and park owners, on an as needed basis.

The Mobile Home Community Issues Committee discussed issues of membership and succession planning in two separate meetings. The Committee is recommending an increase in membership from three to four Committee members and one to three alternates each for the mobile home owners and the mobile park owners. This will increase the ability of the Committee to have a quorum at future meetings with a quorum remaining at two members per side plus one neutral member. See Sections 3.6 and 7.1 in the Policy (Attachment 1) which reflect these changes.



Staff is recommending two changes to the Policy to reflect administrative practice: (1) Section 3.7, add language to reflect coordination of Committee administration with mediation consultant, and (2) Section 8.1, annual report to be completed at the end of the fiscal year.

FISCAL CONSIDERATIONS:

This action does not impact the Housing Commission budget. Committee members and alternates volunteer their time serving on the MHCIC.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

The Housing Commission last approved its current composition of committee members and alternates in 2002. The MHCIC reports its activity annually via informational reports to the Housing Commission Board.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: The MHCIC notices the City's mobile home parks and their homeowner associations of its quarterly meetings. Mobile home parks have been notified of the availability of mediation services, as well as outreached for new committee members.

ENVIRONMENTAL REVIEW: N/A

KEY STAKEHOLDERS & PROJECTED IMPACTS: N/A

Respectfully submitted,

**Signature on File
With Original Document**

Approved by,

Cissy Fisher
Director, Housing Finance & Development

Elizabeth C. Morris
President & Chief Executive Officer

Attachment 1: Mobile Home Issues Committee Policy
Attachment 2: Applications for Membership
Attachment 3: Slate of Nominees

ATTACHMENT 1

HOUSING COMMISSION MOBILE HOME MEDIATION/COMMUNICATION POLICY

(revised December, 2006)

Deleted: April, 1998

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 resolution 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 resolution 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 not 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 ordinance 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.

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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.

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- 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.

Deleted: each July.

ATTACHMENT 3

Mobile Home Community Issues Committee Recommended Slate of Nominations December 2006

San Diego Housing Commission Action:

Appoint new members and reappoint current members.

Mobile Home Owners	Mobile Home Park	District	Term
Lee Jones	Bonita Paradise	4	2 years
Robert H. Gould	The Woods	5	2 years
Russ McJunkin	The Woods	5	2 years
Michael O'Neil	Ocean Bluffs	8	2 years
John Shannon (Alternate #1)	Leisureland	6	2 years
Charles Gregan (Alternate #2)	The Woods	5	2 years
Vacant (Alternate #3)			

Mobile Home Park Owners	Mobile Home Park	District	Term
Bert Epsten	El Rey Trailer Park	4 & 2	2 years
Keith Rhodes	Morena Mobile Village	6	2 years
John Baldwin	Baldwin	4 & 1	2 years
Roy Muraoka	South Bay Mobile Park	8	2 years
Steve Epsten (Alternate #1)	El Rey Trailer Park	2	2 years
Vacant (Alternate #2)			
Vacant (Alternate #3)			

Neutral Representative	Business Affiliation		
Steven Dinkin	Mediator*	Citywide	2 years
Veronica Montenegro (Alternate #1)	Mediator*	Citywide	2 years

*National Conflict Resolution Center

Mobile Home Park Spaces by City Council District

District 2	1,158
District 4	1,094
District 5	506
District 6	502
District 7	374
District 8	<u>1,585</u>
Total	5,219