

ORDINANCE NO. _____

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 6 OF THE SANTA ROSA CITY CODE CHAPTER 6-66 – RENT CONTROL – MOBILEHOMES TO SET CUMULATIVE LIMIT ON RENT INCREASES FOR COMBINED CALENDAR YEARS 2023 AND 2024

WHEREAS, the State of California has recognized, by the adoption of special legislation regulating tenancies of mobilehome owners in mobilehome parks, that there is a significant distinction between tenants of mobilehome parks and other dwelling units; and

WHEREAS, the physical removal and relocation of a mobilehome from a rented space within a mobilehome park can only be accomplished at substantial cost and inconvenience with limited ability to find another location; and

WHEREAS, in Santa Rosa and surrounding locations there is a shortage of sites for the placement of mobilehomes; and

WHEREAS, mobilehomes are an important source of housing for persons of low and moderate income; and

WHEREAS, many owners of mobilehomes are elderly and live on fixed incomes; and

WHEREAS, there is an extremely low vacancy rate in mobilehome parks in Santa Rosa; and

WHEREAS, owners of mobilehome parks are entitled by law to a fair rate of return; and

WHEREAS, Santa Rosa first adopted its mobilehome rent control ordinance in 1993; and

WHEREAS, no mobilehome park owner has requested a fair return hearing in Santa Rosa since 1999; and

WHEREAS, in the past ten years, the allowed rent increases in mobilehome parks have exceeded the increases in Social Security; and

WHEREAS, in December 2022, the Council adopted Ordinance No. 2022-017, amending City Code Section 6-66.040 to reduce the maximum annual allowable rent increase for a mobilehome space from 100% of the annual increase in Consumer Price Index (CPI), up to a maximum of 6%, to 70% of CPI, up to a maximum of 4%; and

WHEREAS, Ordinance No. 2022-017 took effect on January 6, 2023, leaving a number of mobilehome parks still subject to the higher rent increases from January 1, 2023 to January 5, 2023; and

WHEREAS, the Council desires to ensure that all mobilehome parks are governed by a consistent and equitable application of Ordinance No. 2022-017.

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. Subsection (A) of Section 6-66.040 of the Santa Rosa City Code is amended to read as follows:

“(A) Consumer Price Index.

- i. Subject to the provisions of subsection (ii), an owner, once in any 12-month period, may impose a rent increase for a mobilehome space by 70 percent of the percentage increase, if any, in the Consumer Price Index (CPI) during the most recent 12-month period ending in August; provided, however, the rental increase shall not exceed four percent of the previous rent charged for the space. If an owner has obtained a rent increase under subsection 6-66.050(B), the owner may calculate the rent increase allowed by this subsection based upon the approved comparable rent as allowed in subsection 6-66.050(B) instead of upon the actual rent in effect at the time of the increase.
- ii. In no event shall the cumulative rental increase for any mobilehome space in the combined calendar years of 2023 and 2024 exceed the lesser of:

a. The total of:

i. ~~Four percent, (4%) rent increase for 2023,~~ plus

ii. ~~The allowed percentage increase in rent for 2024, as set forth in subsection (A)(i) (equal to 70% of the 12-month CPI as of August 2023, not to exceed 4%),~~

or

~~a.b. Eight percent of the rent charged for the space in 2022.”~~

~~For example, if, in 2023, prior to the effective date of Ordinance No. 2022-017, an owner imposed a rent increase for a mobilehome space of 5.7%, the rent increase for 2024 cannot exceed 2.3%.”~~

Section 2. Environmental Determination. The Council finds that the adoption and implementation of this ordinance are exempt from the provisions of the California Environmental Quality Act under section 15061(b)3 in that the Council finds there is no possibility that the implementation of this ordinance may have significant effects on the environment.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. Effective Date. This ordinance shall take effect on the 31st day following its adoption.

This ordinance was introduced by the Council of the City of Santa Rosa on June 20, 2023.

IN COUNCIL DULY PASSED AND ADOPTED this ____ day of _____, 2023.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney