



Mobile Home Rent Control Ordinance Summary

Background

The current Morgan Hill Mobile Home Rent Control Ordinance (No. 856, NS) was adopted by the City Council on February 17, 1988. The most recent amendment was adopted on April 22, 2009. The ordinance is codified in the Morgan Hill Municipal Code as Chapter 5.36. This summary has been prepared to give you an overview of your rights and to provide answers to the most frequently asked questions. It does not constitute a summation of the entire ordinance and is not intended to serve as a substitute for the ordinance. Before taking any action with regard to your rights, you are urged to obtain a copy of the complete ordinance and read it carefully. In certain instances, you may also want to seek legal advice.

The City Clerk's Office can provide you with a copy of the entire ordinance. The City Clerk's Office is in City Hall at 17575 Peak Avenue, Morgan Hill. You may contact the City Clerk's Office at 408-779-7259 or by email at clerk@morganhill.ca.gov. You may also review the ordinance online at

https://library.municode.com/ca/morgan_hill/codes/code_of_ordinances?nodeId=TIT5BUL_IGE_CH5.36MOHOPARE

The following are commonly asked questions about the mobile home rent control ordinance:

Must the park owner provide me with a copy of this summary and the ordinance?

The owner is required to provide each tenant with a copy of this summary. The owner is not required to provide copies of the ordinance.

Why did the City Council establish this ordinance?

Mobile home tenants and landlords each have a substantial investment in their property. Unresolved differences can often result in unnecessary costs in time and money for both. The Mobile Home Rent Control Ordinance was enacted to encourage stability in rent increases while respecting the rights of owners and tenants.

Who is covered by the ordinance?

The ordinance applies only to mobile home spaces.

How often can my rent be increased?

Rents may be increased only once every twelve (12) months.



How much can my rent be increased?

With certain exceptions, rents generally may be raised by a maximum of seventy-five percent (75%) of the Consumer Price Index (CPI) during the previous twelve months or eight percent (8%), whichever is less, without approval of a City hearing panel.

If the owner wants to raise your rent beyond these limits, the owner must first gain the approval of a City hearing panel. The panel will hold a hearing to determine whether the increase is appropriate. The City will notify you of the time and place of the hearing and you will be given an opportunity to present your views.

What if I believe that my rent has been raised more than permitted by the ordinance?

At least 25 percent of the tenants whose spaces are subject to the ordinance must submit a petition requesting a hearing to the City Clerk. A panel will conduct a hearing to determine whether the rent increase proposed by your landlord violates the ordinance.

You will always be given at least ten (10) days from the date you receive notice of an increase from your landlord in which to file your petition. The petition must be filed at least thirty (30) days prior to the effective date of the increase.

Can my rent be increased if my home is sold?

Your rent cannot be increased if your home is sold and remains upon the space. The landlord may charge a one-time administrative fee of \$25.00 upon ownership transfer.

May my landlord pass on to me the fee assessed under the Mobile Home Rent Control Ordinance?

The Ordinance assesses a fee on your landlord to offset the cost of the mobile home rent stabilization program. If your space is covered under the Ordinance, your landlord may pass through to you, once a year, no more than one-half of the fees charged for your space.

What penalties are associated with violations of this ordinance?

Violations of the ordinance are considered unlawful and carry financial penalties.



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What if I believe my landlord is making things difficult for me because I have requested a hearing under this ordinance?

The California Civil Code provides penalties for owners who attempt to raise rents, evict tenants, or decrease services in retaliation for tenants exercising their rights under this ordinance. There are advisory services available if you have questions about your rights. Project Sentinel at 408-720-9888 or 888-324-7468 is available for assistance with offices located in Gilroy.