



MEMORANDUM

DATE: May 23, 2023

TO: Ventura County Mobile Home Park Rent Review Board

FROM: Dillan Murray, Case Planner
Tricia Maier, Manager, Planning Programs Section

SUBJECT: Addendum to May 24, 2023, Agenda Item #6, Public Hearing to Consider Staff Report and Recommendations and take appropriate action for the Service Reduction Petition (Case No. MH22-0017)

The following revisions to the Ventura County Mobile Home Park Rent Review Board Staff Report are submitted as an addendum to your Rent Review Board packet for item No. 6 on the Rent Review Board Agenda of May 24, 2023. These revisions are summarized below and will be explained in more detail during the staff presentation.

Note: Inclusions and deletions to the sections are indicated in red text with underline and strikeouts respectively.

A. RRB Staff Report, Section II.D, Page 10: Incorporation of new information.

Page 10 of the Rent Review Board Staff Report includes new information received after publication of the staff report. The following paragraph is inserted into Section II.D of the staff report, page 10, immediately following the paragraph beginning “On March 22, 2023...”:

On May 22, 2023, John Koskinen, the property owner’s representative, submitted additional information to Planning Division staff (Exhibit 13) demonstrating the installation of a third newer (albeit used) washing machine at the Casitas Springs Mobile Home Park laundry room on May 20, 2023. According to Mr. Koskinen, as of May 20, 2023, the park has three functioning washing machines and three functioning dryers.

B. RRB Staff Report, Section III.A, Pages 12-14: Incorporation of new information and revisions to staff recommendations.

Pages 12-14 of the Rent Review Board Staff Report include new information received after publication of the staff report and corresponding revisions to staff recommendations. Please refer to the text additions and deletions below:

Staff Analysis: According to the Petition, two of three washing machines had been substantially inoperable for at least eight months at the time of initial August 17, 2022 service reduction petition was submitted to the County. ~~County of Ventura~~ ~~May 24, 2023~~ ~~November 16, 2022~~ Petition stated that the issue

was ongoing. Based on the petitioners' alleged timeline, the laundry facilities were reduced beginning around January 1, 2022. As outlined in the Petition, petitioners allege it was extremely unusual for more than one machine to work at a time during the aforementioned time frame.

At the time of Planning Division staff's inspection on December 20, 2022, the park manager indicated that, in the past, the laundry room had three working washers and three dryers. All of them were coin-operated machines. On the date of the inspection there were two functioning washing machines in the park laundry room; the belt on one of the functioning washing machines was allegedly repaired in the weeks prior to the inspection. The park owner and manager did not specifically dispute the length of time that the laundry machines were inoperable, but contend that the machines became inoperable due to tenants overloading the machines; Planning Division staff could not verify this contention, but it does not absolve the park owner from providing functioning laundry facilities.

The park owner stated his intent to purchase an industrial sized washing machine for the laundry room in the future. Subsequently, on March 22, 2023, the park owner submitted additional information to Planning Division staff (Exhibit 8) demonstrating the installation of two newer (albeit used) industrial-sized washing machines in the park's laundry room on February 8, 2023. The two functioning original washers were removed from the laundry room and replaced by the two newer industrial-sized washers; however, a third inoperable washing machine remains onsite. According to information from the park owner's representative (Exhibit 10), the capacity of the original three top loading washing machines was 3.19 cubic feet each, for a total of 9.57 cubic feet. The two newer front loading machines have a capacity of 3.76 cubic feet each, for a total capacity of 7.52 cubic feet. This represents a reduction of about 2.05 cubic feet of wash capacity, which roughly translates to one standard laundry basket of clothing.

Planning Division staff determined that reducing, from three to one, the number of functioning washing machines for 36 households in the park represented a reduction in available laundry facilities from approximately January 1, 2022 to approximately December 1, 2022, when the belt of one of the original washing machines was repaired. There continued to be some reduction in services (i.e., there were only two functioning washing machines instead of the originally provided three machines with two cubic feet less volume available for laundry services) from at least December 1, 2022 ~~up until the present date and continuing so long as the original volume of wash capacity remains reduced.~~ until May 20, 2023, when the park owner's representative demonstrated the installation of a third newer (albeit used) washing machine at the Casitas Springs Mobile Home Park laundry room (Exhibit 13). According to Mr. Koskinen, as of May 20, 2023, the park has three functioning washing machines and three functioning dryers.

Regardless of the reason for the inoperable machines during this time period, Planning Division staff determined that the park owner benefited financially by not replacing or repairing the machines sooner both by deferring or avoiding maintenance/replacement costs, and by saving the utility costs that would have otherwise been incurred if all machines were operational. Thus, staff has determined that the inoperable laundry facilities constitute a significant housing service that has been reduced for an unreasonable length of time without a corresponding reduction in the dollar amount of the space rent.

Therefore, staff recommends the January 1, 2022 to November 30, 2023 time frame (total of 11 months) as an estimate for when laundry facilities were reduced from the original three washers to one and the December 1, 2022 to ~~May 31, 2023~~ May 20, 2023, time frame (total of approximately 6 months) as an estimate for when only two washers were operable, for which a rent refund should be ordered that corresponds with this reduction of a significant housing service ("Rent Refund"). ~~Moreover, staff recommends a rent reduction be applied monthly commencing on June 1, 2023, until adequate laundry facilities are fully restored ("Rent Reduction").~~

Since tenants are not allowed to install their own washing machines in their own homes, they were required to travel to clean their laundry when there were insufficient facilities available on-site. The closest public laundromat is located approximately 1.8 miles north of the park¹ (3.6 miles round trip). Traveling there would have required additional time, gas, and expense. To quantify the cost to tenants, staff based its calculation on the cost of driving to a local laundromat once per week. A more detailed staff recommendation is enumerated later in Section III.B of this staff report.

In regard to the petitioners' allegation that the prohibition of in-house washing machines is a violation of Civil Code section 798.23 of the MRL, that issue is outside the scope of the Rent Control Ordinance and beyond the County's enforcement authority. As noted above, however, HCD is now available through the MRLPP to help mobile home homeowners resolve complaints related to the MRL. Participation in the MRLPP is voluntary and does not prevent mobile home homeowners from seeking legal advice from a licensed attorney or legal aid provider, or from bringing a legal action in court to enforce the MRL.

Staff Recommendation: As discussed above, staff believes that the reduced and inoperable laundry facilities constitute a significant housing service that has been disrupted for an unreasonable length of time without a corresponding reduction in the dollar amount of the space rent. Therefore, staff recommends that your Board order a Rent Refund commensurate with the reduction in services for the time period covering January 1, 2022, through ~~May 31, 2023~~ May 20, 2023, ~~and apply a Rent Reduction commencing on June 1, 2023, until adequate laundry facilities are fully restored.~~ Staff's recommended method of quantifying the amounts for the Rent Refund ~~and Rent Reduction~~ is described in Section III.B below.

C. RRB Staff Report, Section III.B, Page 14-16: Incorporation of new information and revisions to staff recommendations.

Pages 14-16 of the Rent Review Board Staff Report include new information received after publication of the staff report and corresponding revisions to staff recommendations. Please refer to the text additions and deletions below:

B. RECOMMENDED RENT REFUND ~~AND RENT REDUCTION~~:

As stated in Section III.A of this staff report, staff recommends that your Board apply a Rent Refund ~~and Rent Reduction~~ for the inoperable/insufficient laundry facilities issue identified in

¹ Google Maps, accessed March 23, 2023, available at <https://www.google.com/maps>.

the Petition. Staff recommends your Board utilize the methodology described below which provides your Board with a reasonable and quantifiable means to establish a dollar amount for the reduction in laundry facilities by estimating the average added expense experienced by the tenants.

The Internal Revenue Service publishes standard mileage rates for computing the deductible costs of operating an automobile for business expense purposes. The standard mileage rate is based on an annual study of the fixed and variable costs of operating an automobile.² For 2022, this rate was 58.5 cents per mile. According to Energy Star, the average American family washes about 300 loads of laundry each year or about 25 loads per month.³ While a mobile home household size tends to be smaller on average, it is reasonable to conservatively assume that park households could have met their laundry needs by making one trip to the nearest commercial laundry business once per week, or a total of 4.3 trips per month⁴, for the ~~17-month~~ period (January 1, 2022 until ~~May 31, 2023~~ May 20, 2023) that laundry facilities were reduced and/or disrupted at the park. For purposes of this analysis and staff report, "household" means all persons who are living together in the same mobile dwelling unit; all persons occupying the same space in a mobile home park shall be considered one household.

The following formula is used to determine the recommended Rent Refund based on the estimated cost per household arising from the deficient laundry facilities:

4.3 laundromat trips per month X 3.6 miles to the nearest laundromat round trip = 15.48 miles.

15.48 miles X 58.5 cents per mile (0.585) = \$9.06 per month.

January 1, 2022, to November 30, 2022 (when one of three original washers was operable)

\$9.06 x 11 months = \$99.66

\$99.66 x 1/3 = \$33.22 (proportionate park owner credit to account for the one functioning washer during this time period)

\$99.66 - \$33.22 = \$66.44

December 1, 2022, to ~~May 31, 2023~~ May 20, 2023 (when two washers were operable)

\$9.06 x ~~6~~ 5.65 months = ~~\$54.36~~ \$51.19

~~\$54.36~~ \$51.19 x 2/3 = ~~\$36.24~~ \$34.13 (proportionate park owner credit to account for the two functioning washers during this time period)

~~\$54.36~~ \$51.19 - ~~\$36.24~~ \$34.13 = ~~\$18.12~~ \$17.06

Total Rent Refund amount per space: \$66.44 + ~~\$18.12~~ \$17.06 = ~~\$84.56~~ \$83.50⁵

² Internal Revenue Service, "IRS issues standard mileage rates for 2022," accessed March 23, 2023, available at <https://www.irs.gov/newsroom/irs-issues-standard-mileage-rates-for-2022>.

³ ENERGY STAR, "Why ENERGY STAR?," accessed March 23, 2023, available at https://www.energystar.gov/products/clothes_washers.

⁴ Assuming 1 trip per week with 52 weeks in the year averages to 4.3 laundromat trips per month.

⁵ This ~~\$84.56~~ \$83.50 total dollar amount assumes a tenancy has been established for the entire January 1, 2022, to ~~May 31, 2023~~ May 20, 2023 period; however, the total refund amount should be prorated based on actual dates of tenancy using the dollar amounts set forth above such that a tenancy created on November 1, 2022, would be entitled to a prorated refund

Staff calculated that the reduced housing service would have cost each household a total of \$66.44 in added travel expenses for the January 1, 2022 to December 1, 2022 time period in which there was only a single functioning washer at the park, and a total of ~~\$18.12~~ \$17.06 in added travel expenses for the December 1, 2022 to ~~May 31, 2023~~ May 20, 2023, time period when there were two functioning washers, for a total of ~~\$84.56~~ \$83.50 per household for the entire ~~17-month~~ period that laundry services ~~have~~ were ~~been~~ reduced at the park.

~~Note that, as of the date of this staff report, these housing services continue to be reduced and have not been fully restored; as such, staff recommends a Rent Reduction be applied monthly, commencing on June 1, 2023, until adequate laundry facilities are fully restored (e.g., three functioning washers are provided) as set forth below:~~

~~Rent Reduction Amount: future monthly rents to be reduced by \$3.02 until adequate laundry facilities are fully restored.~~

~~-\$9.06 x 1 month = \$9.06~~

~~-\$9.06 x 2/3 = \$6.04 (proportionate park owner credit to account for the two functioning washers)~~

~~-\$9.06 - 6.04 = \$3.02~~

Please ~~also~~ note that the Rent Refund ~~and Rent Reduction~~ amounts provided above ~~does~~ es not reflect a value related to tenants' time (e.g., value of their time spent commuting to/from the laundromat).

D. RRB Staff Report, Section III.E, Page 14-15: Incorporation of new information and revisions to staff recommendations.

Page 14-15 of the Rent Review Board Staff Report include new information received after publication of the staff report and corresponding revisions to staff recommendations. Please refer to the text inclusions and deletions below:

Planning Division staff recommends that your Board take the following actions:

1. **FIND**, on the basis of the entire record and as set forth in this staff report, that the following specifically enumerated significant housing services were, ~~and continue to be,~~ permanently reduced or disrupted for an unreasonable length of time without a corresponding reduction in the dollar amount of the space rent, as set forth in the Rent Control Ordinance and Resolution No. RRB16-001: Casitas Springs Mobile Home Park ~~has~~ lacked fully functioning and adequate laundry facilities for all tenants since January 1, 2022, until May 20, 2023 ~~and, as of the date of this hearing, these housing services continue to be reduced and have not been fully restored;~~
2. **DETERMINE**, on the basis of the entire record and as set forth in this staff report, that the following dollar amounts correspond to the lack of fully functioning and adequate laundry

amount (e.g. \$6.07 for month of November + ~~\$18.12~~ \$17.06 for December 1, 2022, to ~~May 31, 2023~~ May 20, 2023 = ~~\$24.19~~ \$23.13, plus ongoing dates of tenancy).

facilities at the Casitas Springs Mobile Home Park ~~for the 17-month period~~ from January 1, 2022 until ~~May 31, 2023~~ May 20, 2023 (collectively, "Rent Refund Amounts"):

a. January 1, 2022, to November 30, 2022 (when one of three original washers was operable):

- \$9.06 x 11 months = \$99.66
- \$99.66 x 1/3 = \$33.22 (proportionate park owner credit to account for the one functioning washer during this period)
- \$99.66 - \$33.22 = \$66.44

b. December 1, 2022, to ~~May 31, 2023~~ May 20, 2023 (when two washers were operable):

- \$9.06 x ~~6~~ 5.65 months = ~~\$54.36~~ \$51.19
- ~~\$54.36~~ \$51.19 x 2/3 = ~~\$36.24~~ \$34.13 (proportionate park owner credit to account for the two functioning washers during this time period)
- ~~\$54.36~~ \$51.19 - ~~\$36.24~~ \$34.13 = ~~\$18.12~~ \$17.06

c. Total Rent Refund Amount per space/household, assuming tenancy throughout the entire ~~17-month~~ period from January 1, 2022, to ~~May 31, 2023~~ May 20, 2023, shall be ~~\$84.56~~ \$83.50; otherwise, the total Rent Refund Amount shall be prorated based on the actual dates of tenancy using the dollar amounts set forth above;

~~3. DETERMINE, on the basis of the entire record and as set forth in this staff report, that the following dollar amount corresponds to the lack of fully functioning and adequate laundry facilities at the Casitas Springs Mobile Home Park that continues to exist at the park and that all future rents shall be reduced by this amount ("Rent Reduction Amount") until adequate laundry facilities are fully restored (e.g., three functioning washers provided):~~

~~a. Rent Reduction Amount to be applied monthly commencing on June 1, 2023, until adequate laundry facilities are fully restored:~~

- ~~- \$9.06 x 1 month = \$9.06~~
- ~~- \$9.06 x 2/3 = \$6.04 (proportionate park owner credit to account for the two functioning washers)~~
- ~~- \$9.06 - 6.04 = \$3.02~~

~~Future monthly rents to be reduced by \$3.02 until adequate laundry facilities are fully restored.~~

3. **DETERMINE**, on the basis of the entire record and as set forth in this staff report, that the Planning Division incurred in excess of \$11,866.64 in enforcement costs to process the Petition to date;

4. **ORDER** the owner of the Casitas Mobile Home Park to:

~~a. Reduce future monthly rents by \$3.02 for each space/household in the park as set forth above, until adequate laundry facilities are fully restored (e.g., three fully functioning~~

~~washers provided) in which case the owner shall (1) notify the Planning Division in writing of the date in which laundry facilities have been fully restored and (2) provide evidence acceptable to the Planning Division that the facilities have been fully restored;~~

- a. Within 30 days of this hearing date, issue refunds to each space/household in the park according to their dates of tenancy for the ~~17-month~~ period of reduced laundry facilities from January 1, 2022 until ~~May 31, 2023~~ May 20, 2023, as set forth above;
 - b. Within 45 days of this hearing date, notify the Planning Division in writing which spaces/households were refunded (including specific names and space numbers), their dates of tenancy, and their corresponding refund amounts;
 - ~~c. Within 45 days of this hearing date, notify the Planning Division in writing of the Reduced Rent Amount applied to each space/household (including specific names and space numbers), their dates of tenancy, and their corresponding space rent amounts;~~
 - d. Within 30 days of this hearing date, pay the County \$11,866.64 for the Planning Division's enforcement costs incurred in processing this Petition to date; and
 - e. Pay the County all Planning Division staff costs subsequently incurred on post-hearing matters that will be billed to the park owner by separate invoice(s).
5. **ADOPT** Resolution No. RRB23-001 (Exhibit ~~14~~ 15) implementing the Rent Review Board's decision; and,
 6. **SPECIFY** that the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

E. RRB Staff Report, Section III.E, Page 19-20: Incorporation of new exhibits.

Pages 19-20 of the Rent Review Board Staff Report include new exhibits posted after publication of the staff report. Please refer to the text additions below:

EXHIBITS

- Exhibit 1 – Resolution No. RRB16-001 Service Reduction Procedures
- Exhibit 2 – Service Reduction Petition, submitted August 17, 2022
- Exhibit 3 – Service Reduction Petition, submitted November 16, 2022
- Exhibit 4 – Electronic Mail from Sean Debley to Planning Staff, December 15, 2022
- Exhibit 5 – Electronic Mail from Mark Yarber, California Department of Housing and Community Development, to Planning Staff, November 24, 2022
- Exhibit 6 – Materials Submitted by Deane Brock, November 16, 2022
- Exhibit 7 – Materials Submitted by Park Owner, February 8, 2023⁶

⁶ Note: Exhibit 7 only contains portions of the submittal from the park owner that are relevant to this Service Reduction Petition.

Exhibit 8 – Materials Submitted by Park Owner, March 22, 2023

Exhibit 9 – Discussion of Alleged Issues (Nos. 1-2 and 4-9) that Staff Determined Do Not Constitute a Reduction in Significant Housing Services

Exhibit 10 – Electronic Mail from John Koskinen to Planning Staff, May 10, 2023

Exhibit 11 – Resolution No. RRB23-001

Exhibit 12 – Log of Planning Division Staff Time Expended

Exhibit 13 – Materials Submitted by Park Owner's Representative, May 22, 2023

Exhibit 14 – Errata Memorandum, May 23, 2023

Exhibit 15 – Revised Resolution No. RRB23-001