

VENTURA COUNTY

MOBILE HOME PARK RENT REVIEW BOARD

MOBILE HOME PARK UTILITY SEPARATION APPLICATION



Planning Division, 800 South Victoria Avenue, L#1740
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VENTURA COUNTY
MOBILE HOME PARK RENT REVIEW BOARD
UTILITY SEPARATION APPLICATION INSTRUCTIONS

These instructions are intended to assist you in successfully completing your utility separation application.

GENERAL INSTRUCTIONS:

Submit application to the Planning Division Rent Review Board Staff Administrator **no less than forty-five days prior to the effective date of the proposed rent increase.** The Staff Administrator recommends early submittal so that any revisions can be accommodated and noticing requirements will still be met. Please follow the instructions below:

1. The application shall be filed with the Staff Administrator **no less than forty-five days prior to the effective date of the increase and shall be typed, hand-printed in black ink or e-mailed** with an attached Microsoft Excel spreadsheet (not a PDF) of the Utility Separation Rent Schedule and submitted as soon as possible after notifying residents (please only use the attached Rent Schedule format when submitting your application).
2. All attached application pages shall be 8 ½" x 11" size.
3. The application package shall be delivered to:

Ventura County Mobile Home Park Rent Review Board
Attention: Dillan Murray, Staff Administrator Planning
Division, 800 South Victoria Avenue, L#1740 Ventura,
CA 93009

or sent via email to: dillan.murray@ventura.org

NOTICING PROCEDURE REQUIREMENTS:

The following noticing requirements must be met in order to legally adjust the rent:

1. State of California Requirements: Section 798.30 of the California Civil Code requires that all mobile home park residents be given 90 days notice of any increase in rent. If the proposed rent increases provided to the residents in the Notice of Increase are inaccurate, the property owner will be required to re-notice the resident of any increase **and wait another full 90 days** before effectuating the proposed increase.

Pursuant to Section 798.41 of the California Civil Code, where a rental agreement does not specifically provide otherwise, the park management may elect to bill a homeowner separately for utility service fees and charges assessed by the utility for services provided to or for spaces in the park. Please be advised that any separately billed utility fees and charges shall not be included in the rent charged for those spaces under the rental agreement, and shall not be deemed to be rent or a rent increase for purposes of any ordinance, rule, regulation, or initiative measure adopted or enforced by any local governmental entity which establishes a maximum amount that a landlord may charge a tenant for rent. The amount of the reduction in rent shall be equal to the average amount charged to the park management for that utility service for that space during the 12 months immediately preceding notice of the commencement of the separate billing for that utility service.

For example:

Total Rent Reduction Amount per Space Calculation:¹

\$1,000.00 (total water costs)/year

\$1,000.00/12 months = \$83.33/month

\$83.00/15 units = **\$5.55 total per space monthly rent reduction**

2. County of Ventura Ordinance Requirements: Pursuant to Section 81005(e) of the Ventura County Mobile Home Park Rent Control Ordinance prior to separating any utility, an application must be made to this office and approved. The property owner must request in writing to the Ventura County Rent Review Board (RRB) for the approval of a utility separation. This request must be accompanied by receipts and bills from the last 12 months of the utility at issue.

¹ This example is based on a 15 unit Park without any deductions for common areas. If there are common areas at the Park, such as laundry facilities, a swimming pool and/or spa, or clubhouse, any water connected to these facilities must be appropriately deducted from the total water costs per year.

Additionally, Section 81005(e) of the Ordinance requires that park residents also be notified in writing at least 90 days in advance of the utility separation effective date. The attached Notice of Utility Separation will fulfill both of these requirements. Please submit one representative sample copy of the notice sent to all residents.

Proof of service of these notices must be submitted. Such service must be made either personally hand-delivered or sent by the U.S. Mail to each affected resident.

A Utility Separation Application may be requested and granted at any time during the calendar year.

APPLICATION REQUIREMENTS

If you wish to apply for a Utility Separation Application, please submit the following documents to our office:

- (1) A completed application and a written letter to our office requesting a utility separation specifying the type of utility to be separated;
- (2) a Reimbursement Agreement signed by the property owner;
- (3) One copy of the Notice of Utility Separation sent to an actual resident in the Mobile Home Park;
- (4) A deposit of \$500;
- (5) Copies of receipts and/or bills for the subject utility for the past 12 months; and,
- (6) A proposed rent schedule showing the proposed utility separation cost amounts and the proposed base rent amounts of each resident.

RENT SCHEDULE INSTRUCTIONS:

Please only use the attached Utility Separation Rent Schedule format when submitting your application. Submittal of the Utility Separation Rent Schedule in another format may delay approval of your application.

In order to be approved, the submitted Utility Separation Rent Schedule must include the following information:

1. List all spaces in the mobile home park and clearly identify the spaces that are park owned.
2. List the space numbers, current rent, each separately proposed utility costs reduction in rent (dollar amount), the total dollar amount of all utility

costs reduction in rent, and the requested new rent for each affected space.

3. For spaces that are **exempt** from rent control due to reasons described in Section 81002(a-h) of the Ventura County Mobile Home Park Rent Control Ordinance, please list the applicable subsection for each affected space (i.e., 81002(e) more than a 12 month lease) and provide the date the exemption was initiated and its expiration date. If this information is not provided, staff will assume that the space is not exempt from rent control and process the application accordingly.

Note: Failure to submit all of the above information in a clear, complete, and accurate manner will likely result in delays approving your Utility Separation application.

APPLICATION REVIEW PROCEDURES:

Upon submittal of the application, the Mobile Home Park Rent Review Board Staff Administrator shall perform the following:

1. Review the application no later than 30 days after filing and determine whether the application is complete or incomplete.
 - a. Application Complete: If staff finds the application complete, accurate and in compliance with the Ordinance, the County will schedule a public hearing. Please be advised that the applicant will be required to speak/make a presentation regarding their application at the RRB public hearing. If a Powerpoint presentation will be used, the Powerpoint must be provided to Planning staff at least one week before the scheduled hearing.
 - b. Application Incomplete: If staff finds the application incomplete, inaccurate, and/or not in compliance with the Ventura County Mobile Home Park Rent Control Ordinance, the staff administrator will inform the applicant of the deficiencies of the application.

For more information:

- Contact Dillan Murray by phone at (805) 654-5052 or via e-mail at dillan.murray@ventura.org.
- Visit the Ventura County Planning Division website at: <https://www.vcrma.org/mobile-home-park-rent-control-program>

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Mobile Home Park Utility Separation Application Checklist

This checklist will assist you in verifying you have completed the minimum requirements of the Application. The following materials are to be included with the application:

- _____ Mobile Home Park Description and Contact Information Form
- _____ Proposed Rent Schedule
- _____ Notice of Utility Separation – one representative sample copy
- _____ Proof of Service of the Notice of Utility Separation for all affected spaces
- _____ Signed Reimbursement Agreement
- _____ Copies of receipts and/or bills for the subject utility for the past 12 months
- _____ Application Filing Fee (\$500 deposit) – Please make check payable to the “County of Ventura”.

Please note that the deposit may only cover a portion of the total processing costs. Actual costs for staff time are based on hourly rates, adopted by the Board of Supervisors. Additionally, please be advised that these costs apply even if the application is withdrawn or not approved by the Mobile Home Park Rent Review Board.

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MOBILE HOME PARK DESCRIPTION AND CONTACT INFORMATION

A. MOBILE HOME PARK:

NAME: _____

ADDRESS: _____

B. PARK DESCRIPTION:

NO. SPACES: _____

DATE OPENED: _____

DATE ACQUIRED BY
PRESENT OWNER: _____

C. MANAGER:

NAME: _____

ADDRESS: _____

FAX: _____

PHONE: _____

E-MAIL: _____

D. OWNER:

NAME: _____

ADDRESS: _____

FAX: _____

PHONE: _____

E-MAIL: _____

E. CONTACT PERSON: (If different from above)

NAME: _____

ADDRESS: _____

FAX: _____

PHONE: _____

E-MAIL: _____

F. DECLARATION OF APPLICANT

I, hereby declare under penalty of perjury, that all information presented in connection with this application is accurate and complete in the same manner as books and records for income tax purposes, and is true and correct to the best of my knowledge.

Signature of Applicant

Date

