

FAQs

Mobile Home Park Rent Stabilization Ordinance

1. Does the ordinance apply to leases longer than one year?

No. Riverside Municipal Code section 5.75.020, “Applicability,” provides the following:

A. The provisions of this Chapter shall apply to every Mobile Home Park within the corporate limits of the City and to those Residents who reside in or hold an Ownership in a Mobile Home under a rental agreement of one year or less.

2. Can the ordinance be revised to include multi-year leases?

No, the City can only regulate leases of one year or less.

3. When would the ordinance take effect?

The ordinance would take effect 30 days after date of adoption. The City Council approves the ordinance over two meetings; one meeting to introduce the ordinance and one meeting to adopt the ordinance.

4. What is a capital improvement under the ordinance?

Riverside Municipal Code 5.75.030, “Definitions,” provides the following:

“Capital Improvements” means those improvements which materially add to the value of property, appreciably prolong its useful life, or adapt it to new uses, which are claimed by the Owner as capital expenses for Internal Revenue Code purposes and which are required to be amortized over the useful life of the improvement pursuant to the Internal Revenue Code and the regulations issued pursuant thereto.

5. Under the ordinance, can I require my owner to make improvements?

No. The ordinance only regulates rental increases, which can include the cost of a capital improvement, but does not require or mandate the mobile park home owner to perform a capital improvement.

6. Why can the capital improvements be passed on to the mobile homeowners – why can’t the ordinance require the mobile home park owner to pay these costs?

The City only has the power to regulate rate increases but cannot regulate what costs the owner includes as the base rent.

7. What is the difference between maintenance and capital improvements?

Riverside Municipal Code 5.75.030, “Definitions,” provides the following:

“Capital Improvements” means those improvements which materially add to the value of property, appreciably prolong its useful life, or adapt it to new uses, which

are claimed by the Owner as capital expenses for Internal Revenue Code purposes and which are required to be amortized over the useful life of the improvement pursuant to the Internal Revenue Code and the regulations issued pursuant thereto.

The ordinance does not define what “maintenance” is.

8. What pass through charges are subject to this ordinance?

Riverside Municipal Code section 5.75.140, “Utilities and Related Services,” provides the following regarding utility charges:

Mobile Home Park Owner may collect utilities, other than water and electricity, monthly based on the previous annual costs. Mobile Home Park Owner may collect water and electricity utility charges monthly based on actual usage, in accord with the City of Riverside’s Electric and Water Rules and Rates, as amended from time to time. All such utility charges may only be collected on a monthly basis. The charges for utility service such as gas, electricity, water, cable television, sewer or other service shall be presented to the Mobile Home Owners with adequate documentation. Mobile Home Owners shall be notified in writing, within sixty days, of the exact amount of the utility rent.

Riverside Municipal Code section 5.75.150, “Rent Increase Procedures,” provides the following”

A. Mobile Home Park Owner shall submit an application for the review of a proposed increase in

6. For purposes of determining rent increases for **unforeseen assessment, special tax or general tax increase.**

9. Does the 51% of the mobile home owners with a lease of more than 12 months get to vote on capital improvements?

Yes. Riverside Municipal Code section 5.75.150.A.1 provides the following:

b. Fifty-one percent of the occupied spaces in the park, with one vote per space, have consented to the capital improvement;

10. Does the mobile home park owner get notice of a mobile home parks owner’s application for a rent increase?

Yes. Riverside Municipal Code section 5.75.150, “Rent Increase Procedures” provides the following:

B. Notice of Hearing. Within thirty days from the date application for the proposed rental increase is deemed complete, the Administrator shall serve by mail notice of the date, time and place of hearing to the Mobile Home Park Owner and to each affected Mobile Home Owner. The hearing shall

not be set sooner than ten days nor more than thirty days after the date of the mailing of the notice unless a later date is agreed to by the Mobile Home Park Owner.

11. How does the ordinance get approved?

The City Council of the City of Riverside will consider approval of the ordinance at a public meeting.

12. When is the ordinance been scheduled for approval?

The ordinance has not been scheduled for approval.

13. Who votes on approving this ordinance?

The City Council will vote on approving the ordinance; a majority is required to approve the ordinance.

14. What impact will this ordinance have on mobile park homeowners?

The City is unable to calculate the impact on mobile home park owners.

15. If the mobile home park sells, what protections are there for the mobile home owners/residents?

Riverside Municipal Code section 5.75. 060, "Annual Registration," provides the following:

- D. Notice of Sale of a Park. Upon the sale or transfer of a Mobile Home Park, the seller or transferor shall notify the City Manager of the sale or transfer and of the name and address of the buyer or transferee. Within ten days of the sale or transfer of a Mobile Home Park, the buyer or transferee shall provide a new registration form.

16. Is there any rent control protections under the ordinance for a mobile home owner with a 25-year lease?

No. Riverside Municipal Code section 5.75.020," Applicability", provides the following:

- A. The provisions of this Chapter shall apply to every Mobile Home Park within the corporate limits of the City and to those Residents who reside in or hold an Ownership in a Mobile Home under a rental agreement of one year or less.

17. What is considered to be affordable rent for a mobile home owner/resident?

The ordinance does not define this term. Riverside Municipal Code section 5.75.030, "Definitions", provides the following:

- P. "Rent" means any consideration, including any bonus, benefit or gratuity, demanded or received by a landlord for or in connection with the use or

occupancy, including housing services, of a rental unit or in connection with the assignment of a lease or in connection with subleasing of the rental unit. Rent shall not include:

1. Utility charges for charges for sub-metered gas, water and electricity.
2. Charges for refuse disposal, sewer service, and/or other services which are either provided and charged to Mobile Home residents solely on a cost pass-through basis and/or are regulated by state or local law.
3. Any amount paid for the use and occupancy of a Mobile Home unit (as opposed to amounts paid for the use and occupancy of a Mobile Home space).
4. Charges for laundry services.
5. Storage charges.

18. How is the ordinance enforced?

Riverside Municipal Code section 5.75. 190, "Civil Action", provides for a private civil action for violation of the ordinance. Mobile Home Owners should consult with their own attorney.

19. Where can I get legal advice about my lease?

The City cannot provide legal advice. Residents may be able to obtain legal advice from Legal Aid, officially named Public Service Law Corporation, was founded in 1982 by the Riverside County Bar Association. Its mission is to serve the legal needs of the underserved population in Riverside County. Riverside Legal Aid assisted indigent litigants in obtaining access to justice primarily by providing one-on-one consultations with licensed attorneys, legal document preparation in its Riverside office, as well as providing limited scope attorney representation for those the most in need. Here is their website: [Riverside Legal Aid | Free Legal Assistance in Riverside County California](#). Here is their phone number: 951-682-7968.

20. Who is responsible to trim trees in a mobile home park?

The City's ordinance does not regulate who performs maintenance in a Mobile Home Park.

21. Section 5.75.030, Capital Improvements, references the IRS codes. What sections of the IRS code does this refer?

The City is unable to provide general tax advice. The mobile home park owner should make that determination.

22. If I have to pay property tax for my rent, can I deduct this from my income tax?

The City cannot provide tax advice to mobile home owner; please consult with your own attorney.

23. Does the Capital Improvement vote/rental increase apply to long-term leases (more than 12 months)

Mobile Home Owners who have leases of more than one year can vote upon the need for a capital improvements but the ordinance does not regulate rate increases for long-term leases. Riverside Municipal Code section 5.75.150.A.1 provides the following:

- b. Fifty-one percent of the occupied spaces in the park, with one vote per space, have consented to the capital improvement;

24. Can the City Attorney's Office give me legal advice about my lease?

No. The City Attorney's Office only represents the City of Riverside and cannot provide legal advice to private individuals.