



Memorandum

TO: RULES AND OPEN
GOVERNMENT COMMITTEE

FROM: Councilmember Madison Nguyen

SUBJECT: REVISIONS TO MOBILEHOME
ADVISORY COMMISSION

DATE: July 31, 2008

Approved

Date

Madison P. Nguyen

7/31/08

COUNCIL DISTRICT: Citywide

RECOMMENDATION

It is recommended that the City Council approve amending the structure of the Mobilehome Advisory Commission to increase the membership from five to seven and expanding the scope of responsibility for the commission. It is also recommended that two former members of the Advisory Commission on Rents, Larry Hull and Dan Wagner, be appointed to the Mobilehome Advisory Commission through December 31, 2008.

BACKGROUND

The Mobilehome Advisory Commission (MAC) was created to make recommendations to the City Council regarding the operation and administration of the mobilehome rent ordinance. This ordinance limits the amount of rent increase that may be imposed by mobilehome parks. The five-member Commission includes one mobilehome park landlord representative, one mobilehome park tenant representative and three neutral representatives. The Commission is staffed by the Housing Department and meets every other month.

In recent months, concern was expressed by two commissioners, the tenant representative and one neutral member, that the MAC has demonstrated a bias toward landlords and has failed to provide a balanced forum for expression of tenant concerns. Tension among the members of the commission escalated and contributed to the resignation of two members. This, combined with the term limit of a third commissioner in December 2007, left the MAC with only two members, no quorum, and no ability to function.

In addition, several commissioners expressed the opinion that the scope of responsibility of the MAC as defined by the City ordinance is too narrow, and that little of consequence has been accomplished by the commission. One commissioner expressed the opinion that the MAC should be disbanded entirely.

Another challenge facing the commission is attracting new commissioners. The pool of potential commissioners interested in serving on a commission with such a unique and narrow focus is quite limited, and keeping the commission full can be problematic. With a five-member body, even one or two vacant seats may contribute to the cancellation of meetings due to the lack of quorum. This can cause increased workload for staff and inconvenience to commissioners and the public.

ANALYSIS

In an effort to resolve the conflicts and explore options for improving the commission scope and structure, the Housing Department arranged a special meeting on May 28th that included current and former members of the MAC, relevant Housing Department management, current and former members of the Advisory Commission on Rents (ACR), Councilmember Nora Campos as Council Liaison to the Advisory Commission on Rents, and myself as the Council Liaison to the MAC. The Department engaged the services of a professional consultant to facilitate the meeting, which provided a forum for all interested parties to express their concerns and make suggestions for improvements.

The meeting resulted in several proposals for resolving the issues facing the MAC:

1. Combine the MAC with the ACR. The ACR is a seven-member body that was created to make recommendations to the City Council regarding the operation and administration of the ordinance on rent control for apartments.
2. Increase the diversity of opinions represented on the MAC by increasing the membership by one landlord representative and one tenant representative.
3. Expand the sphere of responsibility for the MAC to include: 1) taking direct testimony from the public on issues impacting the mobilehome community, 2) reviewing quality of life issues and making recommendations to the Director of Housing, 3) evaluating the creation of a mediation program to resolve tenant-landlord disputes in mobilehome parks, and 4) reviewing and making recommendations on other issues that may affect the health, safety, and welfare of the mobilehome community.

When the apartment and mobilehome rent control ordinances were enacted, one commission was created to oversee both. Several years ago this commission was divided into the MAC and the ACR. Although recombining the two commissions appears to address several of the issues and is in line with the Council goal of improving efficiency and reducing redundancy in boards and commissions, the members of the ACR expressed opposition to this proposal. To respect the wishes of the ACR commissioners, I am recommending the alternatives of increasing the size of the MAC and expanding the scope of their responsibility.

As an example of the commitment of members of both of these commissions, two former members of the ACR, Larry Hull and Dan Wagner, have volunteered to serve on the MAC on a

temporary basis until the vacant seats can be filled. This will enable the MAC to continue functioning and addressing the challenges faced by the Commission.

CONCLUSION

To enable the MAC to resume meeting while continuing to recruit new members, I am recommending that Larry Hull and Dan Wagner be immediately appointed to the MAC on an interim basis through December 31, 2008. This will restore a quorum to the commission and enable it to function while the other challenges facing the commission are resolved.

The issues related to residents and owners of mobilehome parks are unique in the housing market, and maintaining a forum for public discussion of these issues is an important function of this commission. I am committed to helping resolve the current issues and ensuring the continued success of the MAC. To that end, I recommend that the Council approve an increase to the membership of the MAC and expanding the scope of their responsibilities as outlined above.

C: Leslye Krutko, Director of Housing
Mayor
City Council
City Clerk