



Rent Stabilization Program

(650) 903-6149 | mvrent@mountainview.gov
Mountainview.gov/mobilehomes

Instructions for Mobile Home Resident Petition A: Unlawful Rent

Petition Overview

On September 28, 2021, the City of Mountain View adopted the Mobile Home Rent Stabilization Ordinance (MHRSO) that covers both mobile home owners and mobile home renters. The MHRSO regulates rent increases and decreases and provides “just cause” eviction protections. Residents living in a MHRSO covered unit or space can request a rent decrease through a City-managed petition process in accordance with the MHRSO, and regulations adopted by the Rental Housing Committee.

Residents considering filing a petition should carefully review the applicable sections in the MHRSO and the Regulations. **All forms for filing a petition, as well as the MHRSO and the Regulations, are posted on mountainview.gov/mobilehomes.**

Residents may request a rent decrease by filing either one or a combination of the three separate petitions below:

1. Petition A: Payment in excess of lawful rent
2. Petition B: Failure to maintain habitable premises and/or decrease in housing services or maintenance
3. Petition C: Undue tenant hardship - Residents living in a unit/space covered by the MHRSO have a right to petition for an undue hardship when a banked rent increase is charged, or when a Mobile Home Park Owner/Landlord files a Petition for Upward Adjustment of Rent based on the conditions below. **Tenant Hardship Petitions filed in response to Banked Rent Increase notices must be filed with the Rental Housing Committee and served on the Mobile Home Park Owner/Landlord within ten (10) calendar days of the effective date of the rent increase. If the Hardship Petition is received after the effective date of the rent increase, the first month of the requested rent increase remains due. Tenant Hardship Petitions filed in response to a Mobile Home Park Owner/Landlord Petition, such as a Capital Improvement or Maintenance of Net Operating Income (MNOI) Petition, must be filed at least ten (10) calendar days before the scheduled Hearing.**

Hardship Condition	Household Income Limit or Rent Burden Status*	Additional Criteria
a. Inadequate Household Income	100% of AMI or Severe Rent Burden	n/a
b. Families with Children	120% of AMI or Severe Rent Burden	Primary residence of one or more persons under the age of 18
c. Senior Household	120% of AMI or Severe Rent Burden	Primary residence of person who is 62 or older
d. Persons with Disabilities	120% of AMI or Severe Rent Burden	Primary residence of person who is disabled
e. Persons who are Terminally Ill	120% of AMI or Severe Rent Burden	Primary residence of person who is certified as terminally ill
f. Other		Other extenuating circumstances

*Resident may qualify if total household income does not exceed the listed percentage of area median income adjusted for household size (AMI), or if household spends more than 50% of household income on rent (Severe Rent Burden).

DISCLAIMER: Neither the Rental Housing Committee nor the City of Mountain View make any claims regarding the adequacy, validity, or legality of this form under State or Federal law. This form is not intended to provide legal advice. Please visit mountainview.gov/mobilehomes or call 650-903-6149 for further information.

State Annual Area Median Income (AMI) for Santa Clara County in 2023 adjusted for family size:

Household Size	1	2	3	4	5	6	7	8
100% AMI	\$126,900	\$145,050	\$163,150	\$181,300	\$195,800	\$210,300	\$224,800	\$239,300
120% AMI	\$152,300	\$174,050	\$195,800	\$217,550	\$234,950	\$252,350	\$269,750	\$287,150

PREPARE TO FILE A PETITION

Here are a few things to do before starting the petition.

- Gather the following information and documents:
 - Mobile home park owner/landlord contact information
 - Address
 - Phone number
 - Email
 - Rent history
 - Amount of rent on either:
 - March 16, 2021 (*If applicable*)
 - Initial Rent Amount on Move-in Date (*If this date falls after March 16, 2021*)
 - Rent increases and/or decreases after March 16, 2021 or Move-in Date
 - Payment of excess rent amounts from March 16, 2021 onward
 - Documentation
 - Copies of checks/money orders/payment receipts
 - Bank statements
 - Rental agreements and/or leases
 - Notices of rent increases
 - Relevant correspondence with housing provider/landlord/owner/manager
 - Separate agreements (including parking, storage or other amenities)
- Decide if you will:
 - Designate a representative to file this petition on your behalf or appear on your behalf
 - *Gather representative contact information if applicable*
 - *Download and complete the Representative Authorization Form*
 - Have any witnesses speak on your behalf
 - Request a settlement meeting

COMPLETE THE PETITION

- Complete the entire petition as thoroughly as possible and provide all necessary documentation
- Closely review the petition to check that you have:
 - Entered all information correctly
 - Completed the entire petition
 - Gathered and labeled all applicable documentation

- Provided explanations for all missing documents
- Clearly explained any complicated issues in your petition

REQUEST AN INFORMAL REVIEW

The next step is to formally serve the petition on your mobile home park owner/landlord. Before doing so, you may want to request an *optional and informal* preliminary review of your petition by the Rent Stabilization Program staff.

The informal review provides an opportunity for staff to:

- Offer feedback regarding missing information and/or incomplete worksheets
- Provide information on documentation
- Answer your questions

By requesting an informal review, you reduce the likelihood of having to re-serve the petition if information is found to be missing or incomplete. Staff recommend informal reviews for all petitions.

SERVE THE PETITION

Once you have filled out the petition and completed the informal review, it's time to serve it on your mobile home park owner/landlord. Tenant Hardship Petitions filed in response to Banked Rent Increase notices must be filed with the Rental Housing Committee and served on the Mobile Home Park Owner/Landlord **within ten (10) calendar days of the effective date of the rent increase**. If the Hardship Petition is received after the effective date of the rent increase, the first month of the requested rent increase remains due. Tenant Hardship Petitions filed in response to a Mobile Home Park Owner/Landlord Petition, such as a Capital Improvement or Maintenance of Net Operating Income (MNOI) Petition, must be filed **at least ten (10) calendar days before the scheduled Hearing**.

Complete the Notice of Submission and Proof of Service Form

The Notice of Submission and Proof of Service Form must be completed before serving the petition on your mobile home park owner/landlord. This form notifies the affected parties that you are submitting a request to the City of Mountain View for a rent decrease.

- Fill out and sign the Notice of Submission (front page)
- Determine how you will serve the petition
 - By Personal Service/Hand Delivery;
 - By Mail; and/or
 - By Email (can only be used if you regularly communicate with your mobile home park owner/landlord via email)
- Complete and sign the Proof of Service Form (back page)
- Attach the Notice of Submission/Proof of Service Form to the cover of the Petition Summary; this is your Petition Packet
- Make two additional copies of the full Petition Packet (one for your files and one for filing with the City)

Serve on Mobile Home Park Owner/Landlord

Serve the signed petition on your mobile home park owner/landlord as indicated in your Proof of Service Form.

FILE THE PETITION

Once you have served the petition on the mobile home park owner/landlord, submit one un-redacted copy of the petition (including all evidentiary documentation) with copies of the Notice of Submission and Proof of Service to Mobile Home Park Owner/Landlord of a Petition Requesting Downward Adjustment of Rent to:

City of Mountain View, Rental Housing Committee
500 Castro Street
Mountain View, CA 94041

-or submit by email (preferred method)-
Patrica.Black@mountainview.gov

NEXT STEPS

Formal Review and Acceptance

Rent Stabilization Program staff will review your petition to make sure it is complete. If information or documentation appears to be missing, staff will contact you to give you a chance to supplement or revise your petition. Staff will then accept the petition and notify all parties involved. The City of Mountain View will have redacted copies of the complete petition (*including all evidentiary documentation*) available for review by interested parties. Personal information (i.e. phone numbers, social security numbers, dates of birth) will be redacted. The redacted copies (*including all evidentiary documentation*) are a public record and subject to the California Public Records Act (Government Code Section 6250, et seq.).

Settlement Meeting

Rent Stabilization Program staff will contact all parties to discuss the hearing process, including scheduling a settlement meeting, if that option was selected. If all parties agree to participate, the staff will schedule the meeting. At the meeting, you will have the opportunity to privately discuss issues brought up in the petition with a trained facilitator and the affected parties. If a mutual understanding is reached, the facilitator will draft a binding agreement and the petition will be resolved without going to a hearing. Any settlement agreement will be a private record and is not subject to public disclosure.

Hearing Process

If a settlement meeting is not requested, or no agreement is reached, the staff will coordinate a hearing with a hearing officer and the parties. The hearing officer will hold a telephone conference to review what will happen at the hearing, request additional documentation, and answer any questions. At the hearing, all parties will have a chance to share information with the hearing officer, respond to each other's statements and provide clarifying answers as requested. After the hearing is over and the record is closed, the hearing officer will issue a written decision determining the outcome of the petition.

A hearing officer's decision may be appealed to the Rental Housing Committee. The appeal must be filed within ten (10) days of the mailing date of decision. If the hearing officer's decision is not appealed, it automatically becomes final and the petition is closed.

LOOKING FOR MORE HELP?

The MHRSO and Regulations, including Chapters 5 and 6 outlining the petition and hearing process, as well as all program forms are available at: www.mountainview.gov/mobilehomes. If you have questions, please contact the Patricia Black at (650) 903-6149 or patricia.black@mountainview.gov.



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PETITION A: DOWNWARD RENT ADJUSTMENT - UNLAWFUL RENT AS DEFINED BY THE MOBILE HOME RENT STABILIZATION ORDINANCE (MHRSO)

I. General Information

A. Mobile Home Resident Information

Name: _____ Phone: () _____

Email: _____

Petition Address and Unit Number:

(Street Address) (Space Number)

Current or Mailing Address (if different from above):

(Street Address) (Unit/Space Number)

(City) (State) (Zip Code)

B. Interpretation and Translations Support

Interpretation and translations support is available. If needed, please indicate language below.
Se dispone de apoyo de interpretación y traducción. Si lo necesita, indique el idioma a continuación.
可提供口译和笔译支持。如有需要, 请在下面注明语言。

C. Roommate Information

Please provide the contact information of roommates or any other person(s) who have lived in the residence and paid rent during the time covered by this petition (do not list petitioners).

Name: _____ Phone: () _____

Mailing Address: _____

Email: _____

Name: _____ Phone: () _____

Mailing Address: _____

Email: _____

(Attach additional pages if needed.)

D. Representative Information

If you wish to authorize a Representative to file this petition on your behalf or appear on your behalf, a **Representative Authorization Form must be completed and submitted with this petition.** Please provide the following information for your Representative below.

Name: _____ Phone: () _____

Mailing Address: _____

Email: _____

E. Mobile Home Park Owner / Landlord Information

Please provide contact information of person responsible for collecting rent.

Name: _____ Phone: () _____

Mailing Address: _____

Email: _____

Name: _____ Phone: () _____

Mailing Address: _____

Email: _____

II. Ground(s) for Petition

This Petition is to recover unlawfully paid rent on the following basis(es): *(check each box that applies)*

- Annual General Adjustment of Rent was unlawfully imposed.**
- Proposed rent increase unlawful.**
- More than one rent increase** was imposed within a 12-month period.
- Rent roll back was not implemented.** As of March 16, 2021 rent for units / spaces subject to the roll back must equal the rent charged on March 16, 2021 (or the initial rent amount if the tenancy began after March 16, 2021).
- Space rent set at start of tenancy exceeded vacancy control.** The space rent increase upon the transfer/sale of the mobile home and/or the start of a new tenancy of the mobile home space exceeded 100% of CPI.
- Mobile Home Park Owner/Landlord failed to comply with the MHRSO:**
(Please describe below)

- Other Unlawful Rent:** *(Please describe below)*

III. Rent History (if applicable)

Definition of "Rent": All periodic payments and all nonmonetary consideration, including, but not limited to, the fair-market value of goods, labor performed, or services rendered to or for the benefit of a Mobile Home Park Owner for the use or occupancy of a Mobile Home Space or to a Mobile Home Landlord for the use or occupancy of a Mobile Home, access to and from a Mobile Home Space and any Communal Facilities and Housing Services. Rent includes all payment and consideration demanded or paid for parking, pets, furniture and/or subletting.

1. **Move-in Date:** _____
2. **Amount of Rent on March 16, 2021: (If applicable)** \$ _____
3. **Initial Rent Amount on Move-in Date:** \$ _____
(If this date falls after March 16, 2021)
4. **Current Rent Amount:** \$ _____

IV. Documentation

Submit copies of the following documents in your possession (and any other documents you believe are relevant to your petition) that show the amount of rent paid and/or retained. Please submit copies only and keep the original documents for your records. Check the box(es) below to indicate the type(s) of documentation being submitted.

Documentation		
1.	<input type="checkbox"/>	Copies of rent checks or money orders
2.	<input type="checkbox"/>	Receipts for payment of rent
3.	<input type="checkbox"/>	Bank statements
4.	<input type="checkbox"/>	Rental agreements and/or leases
5.	<input type="checkbox"/>	Notice(s) of rent increase(s)
6.	<input type="checkbox"/>	Relevant correspondence with landlord/mobile home park owner/manager
7.	<input type="checkbox"/>	Separate agreements (including parking, storage or other amenities)
8.	<input type="checkbox"/>	Other (explain):

V. Missing Documentation

If there is a month or months for which you have not attached any documentation in the section above:

1. Identify the line number from Worksheet 1 and/or Worksheet 2.
2. Explain why you have not attached documentation, including why it was not readily available to you and/or what actions, if any, you took to try to get this documentation.

VI. Additions/Explanations

Use this section to add to or explain your entries on the coversheet or any of the prior worksheets. Be sure to identify which prior section(s) you are supplementing.

VII. Witnesses

If you would like someone other than parties included in your petition, or your authorized representative, to provide documentation or speak on your behalf during the hearing, please fill out the section below.

A witness can be anyone with knowledge related to the condition(s) presented in your petition.

Witness List

Please indicate:

- Yes, there are additional witnesses other than the petitioner
(Fill out the witness information below.)
- No, there are not additional witnesses other than the petitioner

	Name	Topic
1.		
2.		

VIII. Request for Voluntary Settlement Meeting

A voluntary settlement meeting allows you the opportunity to meet privately with a trained facilitator and the affected parties to discuss issues brought up in the petition. If a mutual understanding is reached, the facilitator will draft a binding agreement and the petition will be resolved without going to a hearing. Any settlement agreement will be a private record and is not subject to public disclosure.

- I request a voluntary settlement meeting
- I do not request a voluntary settlement meeting

IX. Declaration

I (we) declare under penalty of perjury under the laws of the State of California that the contents of the foregoing Petition and all attachments and accompanying documents, are true and correct and complete.

A completed *Notice of Submission and Proof of Service to Mobile Home Park Owner/Landlord of a Petition Requesting Downward Adjustment of Rent* is attached.

Signature: _____

Print Name: _____

Date: _____

Signature: _____

Print Name: _____

Date: _____

Este formulario está disponible en español y mandarín.

此表格有西班牙语和中文版本。