

January 24, 2021

Dear Mayor Liccardo, Vice Mayor Jones and City Council members:

**RE:** Item 8.3 City Council Meeting 1/26/2021

Ryan Jasinsky represents the Mobilehome Landlords and Martha O'Connell represents the Mobilehome Tenants on the Housing and Community Development Commission (HCDC). The opinions in this letter are that of Ryan Jasinsky and Martha O'Connell and do not represent that of HCDC.

On April 28, 2020, the City of San Jose adopted a Rent Increase Moratorium that effectively froze Mobilehome Park Owners from increasing rents until December 31, 2020. Martha and I originally assisted in creating language to support the adoption of this proposal in the spirit of providing relief to Mobilehome Owners during the COVID-19 pandemic while also preserving Mobilehome Park Community anniversary dates.

While we understand Councilmember Esparza's interest in extending the adoption of the Rent Increase Freeze, we believe a more targeted approach to assist Mobilehome Owners in need is a fairer and more appropriate response. Throughout the pandemic Mobilehome Park Owners have been working closely with their Mobilehome Owners who have been financially impacted by COVID-19 to provide relief either through rent increase freezes or rent deferrals. This collaborative effort and communication between Park Owners and Mobilehome Owners provided direct financial relief to those who need it and has offered security during uncertain times.

Creating a program that provides targeted relief to Mobilehome Owners who are financially impacted by COVID-19 will continue to protect those that are most vulnerable, while also allowing Park Owners to maintain their operations. This also continues to preserve community anniversary dates which provide predictability for all mobilehome communities. Per GSMOL Corporate Attorney Bruce Stanton's letter to the City Council on April 24, 2020, "Park Owners internal accounting systems and cash flows are based upon the anniversary cycles which they have been used to for many years. Changing those dates could potentially expose the City to objections and challenges from all of the City's park owners. Homeowners representatives agree that those dates should **not** need to change."

Below is our proposal for a targeted rent increase freeze.

- We suggest providing a rent increase freeze for Mobilehome Owners who report being financially impacted due to COVID-19.
- If a Mobilehome Owner is currently financially impacted by COVID-19, by law they are required to complete and return a Declaration of COVID-19 Related Financial Distress form indicating they are unable to pay rent and other financial obligations and sign the form under penalty of perjury. Park Owners or Operators must provide this notice to any Mobilehome Owner indicating that they have been financially-impacted by COVID-19.
- If the Mobilehome Owner is currently enrolled or enrolls in the COVID-19 Financial Distress Program, they will receive a rent increase credit until the end of the state of emergency connected to the pandemic as declared by county, State or federal government(s).

- Mobilehome parks have a fixed rent increase anniversary date, which are typically outlined in the lease agreement. The State requires that mobilehome park management provide a Homeowner with a 90-day written notice before the effective date of an increase (Mobilehome Residency Law 798.30)
  - *For example, if Community A has a rent anniversary date of July 1, then on that date all the residents of Community A may receive a rent increase. However, before this can happen, in accordance with state law, management is required to send a notice of the rent increase to the residents before April 1.*
- We recommend allowing Park Owners to notify their financially impacted COVID-19 Mobilehome Owners of their annual increase in order to maintain that fixed anniversary date.
- Instead of initiating the increase upon the anniversary date, financially impacted COVID-19 Homeowners will have the increase applied and credited to the Homeowners account on the same monthly bill.
  - *For instance, if there is an increase of \$30 there will be a credit on the Homeowner's account of \$30. The net effect will equal zero.*

We want to continue to work with the City to create solutions and protections for those that have been financially impacted by COVID-19 while also ensuring that our mobilehome communities are still maintained to a high standard.

Thank you for your consideration.

Sincerely,

  
\_\_\_\_\_  
Ryan Jasinsky  
Brandenburg, Staedler & Moore  
Director of Property Management

  
\_\_\_\_\_  
Martha O'Connell  
GSMOL  
Golden State Manufactured Homeowners  
League -Regional Manager

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**DESTINATION: HOME**

January 22, 2021

Mayor & City Council  
City of San Jose  
200 East Santa Clara Street, 18th Floor  
San Jose, CA 95113

**RE: COVID-19 Residential Eviction Moratorium (Item 8.3 on the 1/26 Agenda)**

Dear Honorable Mayor & City Councilmembers,

We urge you to adopt the proposed residential eviction moratorium. With the statewide moratorium set to expire on January 31st, we must take local action to ensure that tens-of-thousands of struggling residents remain safely housed come February 1st.

In addition, we urge you to approve the recommendation from Councilmember Esparza to direct staff to also renew the moratorium on rental increases that was originally adopted on April 28, 2020 and has since expired.

These actions are particularly important for protecting extremely low income (ELI) residents, who continue suffering the most severe impacts from this devastating pandemic. For example, the roughly 1,000 ELI residents our organization is currently assisting have seen their income drop by more than 60% and are currently earning an average of \$1000/month - leaving them completely unable to meet their average rent of \$1700/month, let alone pay off the average of \$5,000 in back rent owed.

Extending these critical eviction protections is also central to our collective efforts to combat COVID-19. In fact, researchers from UCLA have estimated that the current statewide emergency eviction protection law has already prevented 186,000 COVID-19 cases and 6,000 deaths.

With the prospects of State action remaining unclear, we must act locally to protect our most vulnerable residents. Please adopt the proposed eviction moratorium.

Thank you for your continued leadership.

Sincerely,



Jennifer Loving  
CEO

Destination: Home  
3180 Newberry Drive, Ste 200 San Jose, CA 95118 USA  
ph: 408.961.9895 • fax: 408.559.9515  
501(c)3 Tax ID# 82-3353174  
[www.destinationhomesv.org](http://www.destinationhomesv.org)



Los Angeles/Long Beach  
Orange County  
Sacramento County  
San Diego County  
San Jose/Santa Clara County  
Santa Barbara/Central Coast

[www.epath.org](http://www.epath.org)

January 25, 2021

The Honorable Mayor Sam Liccardo  
City of San Jose  
200 E Santa Clara Street  
San Jose, CA 95113

Dear Mayor Liccardo,

On behalf of PATH (People Assisting The Homeless), I want to thank you and the City Council for your continued leadership during the ongoing coronavirus pandemic. I am writing to reaffirm our partnership as we continue our collective work to protect the City's most vulnerable residents. To that point, I urge you and the Council to support the proposal to extend the City's moratorium on evictions.

PATH is a proud partner to the City in the fight to end homelessness, and we have made important inroads that are being threatened by the prospect of a new wave of homelessness. The lack of an extension to the State's eviction moratorium could cause many of the nearly two million Californians living on the edge of homelessness to end up on the street, just as the pandemic has reached new highs of both deaths and infections.

We appreciate the City putting forward this common sense proposal, so that the people of San Jose do not have to continually worry about the prospect of eviction. We also understand the dilemma that an extended eviction moratorium could pose to landlords. To that end, we have been asking our Federal representatives to provide robust emergency rental assistance, ensuring there are limited roadblocks to protecting our most vulnerable residents from being evicted during these challenging times. Please know that PATH stands with you in these efforts and will utilize our status as the State's largest homeless service provider to lobby for the necessary resources to confront the challenges posed by this pandemic.

It is our collective hope that this pandemic and its resultant impact comes to a quick conclusion, but, in the interim, we must do all we can to protect the gains we are making in the homelessness crisis by supporting those who live on or near the edge of homelessness. PATH stands with you in support of extending this moratorium on evictions and urges you and the Council to pass it with the utmost urgency.

Respectfully,

A black rectangular redaction box covering the signature of Joel John Roberts.

Joel John Roberts  
Chief Executive Officer  
PATH



1651 North First Street, San Jose, CA 95112  
(408) 445-8500 • www.sccaor.com

January 25, 2021

## **Santa Clara**

City of San Jose  
200 E. Santa Clara Street  
San Jose, CA 95113

### **RE: Item 8.3 COVID-19 Residential Eviction Moratorium**

Dear Honorable Mayor Liccardo and Councilmembers,

On behalf of the Santa Clara County Association of REALTORS® (SCCAOR) and our 6,000 members, I write regarding the potential adoption of 2021 COVID-19 Residential Eviction Moratorium for tenants financially impacted by COVID-19. SCCAOR understands the need and reasoning to extend eviction moratoriums as the COVID-19 pandemic worsens. We do not wish to see anyone pushed into homelessness during this public health crisis and understand the importance of maintaining a safe shelter during these times. However, we can only support this eviction moratorium if certain protections and stipulations are included.

Throughout 2020 several different eviction moratoriums were enacted at all levels of government to allow vulnerable tenants to continue to safely shelter in place. There was an unintended consequence of these competing moratoriums at the local, state, and federal levels. It became incredibly difficult for small property housing providers and tenants alike to understand the requirements and correctly comply with the orders. This led to an inefficient, confusing, and frustrating process for tenants and housing providers. When AB 3088 was enacted at the statewide level several months ago it superseded any local orders limiting confusion and increasing compliance. SCCAOR asks that any local moratorium enactment only serves as a stop-gap while the state works to pass legislation. It should include language that it will be superseded by any statewide Eviction Moratorium extension.

Secondly, SCCAOR urges the City to continue to advocate the state and federal government for further rental assistance as unpaid back rent rapidly increases. Debts are growing to amounts that tenants will be unable to pay moving forward, leaving housing providers struggling to pay mortgages, utilities, maintenance repairs, and their daily living expenses. A survey we conducted of roughly 70 San Jose housing providers shows that over 50% have not received full rent during the pandemic, are struggling themselves financially, and are strongly considering selling their property as a result. As mortgage forbearance nears an end, ballooned back payments are nearing a foreclosure cliff. This will result in countless unintended evictions of vulnerable tenants and depletion of much needed naturally affordable housing in the City of San Jose.

## **CALIFORNIA'S FIRST REAL ESTATE BOARD**

*SCCAOR exists to meet the business, professional and political needs of its members  
and to promote and protect home ownership and private property rights.*

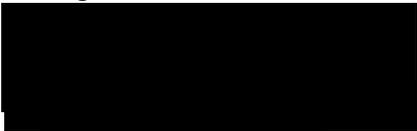


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Lastly, ensure that as federal dollars are made available for rental assistance that these programs are run smoothly and efficiently to quickly get the resources to those who need them most. It is crucial to allow housing providers to apply for these funds on behalf of vulnerable tenants. This eliminates an unnecessary step throughout a complicated process which alleviates stress and time constraints on both parties. Housing providers have the knowledge and resources to quickly apply for these funds on behalf of tenants. This provides an easy pathway for tenants to be forgiven of unpaid rent. It also quickly allows housing providers to become current on mortgages, utilities, maintenance, and other expenses.

SCCAOR encourages Council and City Staff to consider these protections and stipulations when enacting a new Eviction Moratorium. We hope the City will enact legislation that protects our most vulnerable population, while minimizing confusion and forcing one segment of the population to shoulder the financial burden due to the COVID-19 health crisis.

Regards,



Doug Goss  
2021 President, Santa Clara County Association of REALTORS®

**CALIFORNIA'S FIRST REAL ESTATE BOARD**

*SCCAOR exists to meet the business, professional and political needs of its members  
and to promote and protect home ownership and private property rights.*

January 25, 2021

Dear Mayor Liccardo, Vice Mayor Jones and City Council members:

RE: Item 8.3 City Council Meeting 1-26-2021

On behalf of GSMOL Super Chapter 0018/0018A I support the Jasinsky/ O'Connell proposal, Item 8.3 City Council meeting January 26, 2021. It is a sensible approach to a complicated and life impacting problem.

Sincerely,

A solid black rectangular redaction box covering the signature of the sender.

Glenna Howcroft

Golden State Manufactured Homeowners League

Super Chapter President #0018/0018A

**Item 8.3 San Jose City Council Meeting Jan 26,2021**

GARY SMITH [REDACTED]

Mon 1/25/2021 4:57 PM

To: Agendadesk <Agendadesk@sanjoseca.gov>; Martha O'Connell [REDACTED]

[External Email]

ON BEHALF OF GSMOL CHAPTER 1280 (MILLPOND MHP) I SUPPORT THE  
JASINSKY/O'CONNELL PROPOSAL.

GARY C.SMITH  
ASSOCIATE ZONE MANAGER  
and President, Millpond MHP Chapter GSMOL

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## Jasinsky/O'Connell proposal

Wally Jay [REDACTED]

Tue 1/26/2021 8:12 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>; Martha O'Connell [REDACTED]

[External Email]

On behalf of GSMOL Chapter 890 I support the Jasinsky/O'Connell proposal.  
This is item 8.3 of City Council meeting January 26, 2021.

Sincerely,

Wallace Owens  
President Chapter 890  
Quail Hollow Mobilehome

Community

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## Item 8.3 January 26th meeting

Maria Munoz 

Tue 1/26/2021 10:57 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

[External Email]

**On behalf of GSMOL Chapter U714. I support the Jasinsky/ O'Connell proposal. Item 8.3 City Council meeting January 26, 2021.**

**Thank you,**

**María Munoz  
Chapter U714 president**

Sent from my iPhone

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