

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING
REPEALING VARIOUS SECTIONS SECTIONS 17.22.370
AND SUBSECTION B. OF 17.22.490 OF CHAPTER 17.22
OF TITLE 17 OF THE SAN JOSE MUNICIPAL CODE
RELATED TO THE ONE-YEAR EXCEPTION TO THE
MOBILEHOME RENT ORDINANCE**

WHEREAS, pursuant to the provisions and requirements of the California Environmental Quality Act of 1970, together with related State CEQA Guidelines and Title 21 of the San José Municipal Code (collectively, "CEQA"), the Director of Planning, Building and Code Enforcement has determined that the provisions of this Ordinance do not constitute a project, under File No. PP17-008 (General Procedure and Policy Making resulting in no changes to the physical environment); and

WHEREAS, the City Council of the City of San José is the decision-making body for this Ordinance; and

WHEREAS, this Council has reviewed and considered the "not a project" determination under CEQA prior to taking any approval actions on this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. Section 17.22.370 of Chapter 17.22 of Title 17 of the San José Municipal Code is hereby repealed.

17.22.370 Rental Agreements

~~A. The provisions of this Chapter shall not apply to any mobilehome lot which is the subject of a rental agreement voluntarily entered into between a landlord and a mobilehome owner where the rental agreement meets all of the following criteria:~~

~~1. The rental agreement was entered into on or after January 1, 1986.~~

~~2. The term of the rental agreement is in excess of twelve (12) months' duration.~~

~~3. The mobilehome lot which is the subject of the rental agreement is used for the personal and actual residence of the mobilehome owner.~~

~~4. The first paragraph of the rental agreement contains a provision notifying the mobilehome owner that the mobilehome lot will be exempt from the provisions of this Chapter.~~

~~B. This exclusion shall apply only for the duration of the term of the rental agreement and any uninterrupted, continuous extensions thereof. If the term of the rental agreement is not extended and no new rental agreement meeting the above stated criteria is entered into, this Chapter shall immediately become applicable to the mobilehome lot and the last rental rate charged for the lot under the immediately preceding rental agreement shall be the rent for purposes of determining the base rent under this Chapter.~~

SECTION 2. Section 17.22.490 of Chapter 17.22 of Title 17 of the San José Municipal Code is amended to read as follows:

17.22.490 Base Year

- ~~A. Except as provided in subsection B. of this Section, b~~Base year means the 1985 calendar year.
- ~~B. For Rental Units that were subject to a previous fair return Rent Increase, the base year means the current year used in the last filed fair return petition. For rental units which were exempt from the provisions of this Chapter pursuant to a rental agreement as described in Section 17.22.370 and which are subject to the provisions of this chapter because of the expiration or other termination of such rental agreement, base year means the last twelve (12) months of the term of the rental agreement.~~

PASSED FOR PUBLICATION of title this _____ day of _____, 2026, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, MMC
City Clerk