

OMHA

Oceanside Manufactured Homeowners Alliance, Inc.

www.omha4oside.com

The History of Rent Protection

Rent protection has been around for nearly 100 years in this country. In the early 1900's, immigrants from Europe began flooding New York City, resulting in too many people and not enough places to live. Landlords, having the advantage, began raising rents in the winter of 1907, and in 1908, people began informal "tenant unions" to deal with this issue.

World War I brought another housing crisis to New York City, as the war effort used large quantities of building supplies, again creating too many people for the available housing. Once again this resulted in huge rent increase and evictions.

In the early 1920's, political parties and labor unions organized to protect rents. New York City passed emergency rent laws that provided some protection. By the late 1920's available housing increased and the situation improved. However, the new rental laws eventually expired, and during the Great Depression low income people again found themselves in a rent bind. Fragmented tenant unions joined together and resisted high rents with rent strikes. Landlords fought back with mass evictions that jammed the courts.

By the late 1930's, activists were finally able to create organized tenant unions, which fought for maximum safety standards in public housing and rent protection. A 1939 act did limit rent increases for low-income tenants.

During the 1940's, World War II brought another housing crisis in many American cities. This time the AFL and CIO unions joined forces and took over tenant advocacy. The federal government then stepped in and passed an emergency ceiling on rents in many large American cities. As a result of housing shortages and renter populations growing over the years, rent protection systems have appeared in New Jersey, Maryland, Washington D. C., Connecticut, and California.

By the 1980's, communities had enacted rent protection in almost 175 municipalities across the nation. Over the years rent protection has been attacked and weakened by landlords and the changing political climate. In today's escalating real estate market, rent protection survives in about 140 jurisdictions.

State-wide Attacks on Rent Protection in California

Rent protection was challenged in the 1990's with State Proposition 199. This proposition was defeated by rent protection-friendly citizens, with the help of [GSMOL](#). It was attacked again in 2006 with State Proposition 90, again defeated with the help of GSMOL.

In 2008, two propositions (98 and 99) were on the state ballot. If passed, proposition 98 would have eliminated rent protection, while proposition 99 would preserve rent protection. The voters of California spoke, and by a decisive margin, proposition 99 won, preserving rent protection. Again GSMOL was prominent in avoiding the elimination of rent protection statewide.

Rent Protection in Oceanside

A history lesson for Oceanside's more-recent mobile home owners and a reminder for everyone else.

As an Oceanside mobile home owner, chances are that you purchased your home because of Oceanside's blue skies, sandy beaches, proximity to family, and rent protection. That may be true of the majority of us. Until circumstances made us realize that, while we may feel secure about family, blue skies and sandy beaches, RENT PROTECTION CAN NEVER BE TAKEN FOR GRANTED. It is situated on a precipice in Oceanside, and state-wide, because that is where many park owners and their supporters continue to place it. Vigilance and active involvement by all of Oceanside's approximately 2,400 mobile home owners is a necessity if we hope to keep rent protection stable and derive the protection it provides for our future security. Park owners have challenged it in the past and there is little doubt they will continue to challenge it. The threat is greater now than in earlier years, when those park owners have the support of three Oceanside City Council members who carry a majority vote. The Oceanside City Council is comprised of four Council Members and the Mayor, equaling a total of five votes.

Rent Protection does not cost city taxpayers one dime. The cost of Oceanside's administration of the Rent protection ordinance is divided equally between park owners and mobile home owners and billed monthly on your rent bill. In fact, park owners pay their share using rent money they receive from mobile home owners, as a cost of doing business, so ultimately mobile home owners pay the entire amount. An end to rent protection benefits no one except a handful of out-of-town, millionaire park owners who want to add to their wealth, but it would be devastating to mobile home owners living on fixed and budgeted incomes and it would eliminate the equity value in everyone's home. There are park owners who are fair to their residents, but they are in the minority and their actions will count for nothing if the others succeed in their quest to end rent protection.

The defeats of Prop. 199 in 1995, Prop. 90 in 2006, and Prop. 98 in 2008 turned the park owners to the local arenas to win their objectives. Several of those arenas are Goleta, Calimesa, Chula Vista, Escondido...and Oceanside. Park owners achieved various results in these locations, depending on the strength of opposition against them. Mobile home owners in areas that lost rent protection entirely, or had it weakened by vacancy de-control, have faced loss of equity in their homes and seen their once-thriving parks decimated.

In Oceanside, rent protection was originally initiated because a mobile home resident from Laguna Vista asked then City Council candidate Melba Bishop for help from the city in preventing high rent increases. Melba knew nothing about the mobile home park business but, after being elected, she did some research. While attending a conference in San Francisco, she solicited

information from other attendees who had rent protection in their cities, and with that information she went to work drafting the ordinance in her hotel room. The Rent Protection Ordinance was subsequently passed, adopted, and ordered published on June 23, 1982 after a unanimous vote by the Oceanside City Council. Things have changed on our Council since then, and support of the Ordinance is far from unanimous and far from guaranteed.

Then, the implementation of rent protection hit a snag because park owners challenged it in court and the city was enjoined from enforcing the ordinance by an injunction, pending resolution of the court challenge. The injunction was in force until August 27, 1984 when it was finally dissolved by the California Appellate Court. After the Appellate Court Resolution, a revised version of the original ordinance was passed, adopted, and ordered published by the City Council on September 12, 1984, and rent protection finally became effective on January 1, 1985.

Most residents are not familiar with the ordinance, which means they are not aware that it includes a vacant lot stipulation that, if obtained, will suspend rent protection for all mobile home residents CITYWIDE. If 5% of the mobile home lots in the city have no homes on them, rent protection can be suspended by the City Council. This affects every Oceanside mobile home owner regardless of the number of empty lots in individual mobile home parks and regardless of whether your park owner is fair in practice. Every mobile home owner in Oceanside is in one rent protection boat. Some park owners have initiated practices that will help them exceed the 5% threshold by making it difficult for people to sell their homes. Those parks offer them pennies on the dollar and buy them out. They then have the option of removing those homes from their park, should the 5% be in their sight, by selling them off to be moved to Baja or construction sites and leaving vacant lots.

In 2011, with the support of three (majority) council members, park owners came up with another plan to gradually eliminate rent protection and also expedite their "in excess of 5% vacant lots" target. On May 4, 2011, Oceanside City Councilman Jerome Kern, on behalf of the out-of-town millionaire park owners, proposed a change to the rent protection ordinance under the guise of "Vacancy De-control" and Council Members Gary Felien and Jack Feller voted to support him. Mayor Jim Wood and Councilmember Esther Sanchez voted against the change, and supported mobile home owners. Vacancy de-control would have eliminated all new buyers and anyone inheriting a home (unless they already live in the home) from rent protection status, allow park owners to raise space rent for new buyers or descendants in unlimited amounts, and make it impossible for mobile home owners to sell their homes for fair prices. Whether you ever intend to sell or not, your descendants would inherit the problem of either not being able to afford to pay inflated rent, or not being able to sell, or both.

Mobile home owners and many supporters from other residences filled City Council chambers at meeting after meeting, requesting reconsideration and repeal of Vacancy Decontrol, all to no avail. The attitude of the majority three was that, if we didn't like it, we could move our homes someplace else, as if that could be done by hooking them up to a trailer hitch. Mr. Feller, during a council meeting, compared our homes to a car that depreciates rapidly and loses resale value. Mobile home owners then fought back with a referendum. 7,800 signatures were needed within 30 days. More than two hundred volunteer residents from all Oceanside parks, with organizational help from ACTION, stood in market places, and walked door to door with petitions, and obtained 15,400 signatures in 29 days. This temporarily prevented Vacancy Decontrol from taking effect. Under state law, the City Council was then required to either repeal Vacancy Decontrol or submit it to a vote of the citizens.

Misters Kern, Felien, and Feller refused to repeal Vacancy Decontrol. They chose to submit it to a vote of Oceanside's citizens in a special election at a cost to Oceanside taxpayers of approximately \$200,000 and it, as Prop. E, was placed on the June 5, 2012 ballot. Their conception was that retired seniors and veterans would not have the ability or the funds to keep it from passing. That did not stop Kern, Felien, and Feller, however, from attempting to stack the deck against us and sway voters in their favor. When Prop. E was put on the ballot the original wording of it stated that it, if passed, would allow space rents to rise to "market" rates when, in fact, the ordinance would allow space rent to be raised in unlimited amounts, not market rates. That subterfuge was another example of the Kern, Felien, Feller majority siding with out-of-town millionaire park owners and against their own constituents.

Yet another skirmish was necessary and a small, determined group of mobile home owners took the reins in their capable hands, hired an attorney, and threatened to sue the city if the original ballot language was allowed to remain as written. The attorney gave the City Council a deadline for correcting the ballot wording and the City Council majority finally capitulated within a few short hours before the deadline. A special meeting was held by the City Council, the wording was corrected and, at last, the mobile home owners had a fair chance to defeat Prop. E.

Supporters of YES on E (meaning YES for Vacancy Decontrol) collected \$404,423.00 toward their campaign funding. \$358,573.00 of it was contributed by ten wealthy park owners and Western Manufactured Housing Communities Association (WMA), a park owner trade organization. Just one of the Oceanside park owners lives, and votes, in Oceanside and only \$9,003.75 of their campaign expenditures was spent at local businesses. Park owners do not support Oceanside, and unlimited rent increases adding to their wealth would not have supported Oceanside's economy.

Yet, those out-of-town millionaire park owners who do not contribute much to Oceanside's economy were supported by Oceanside Council Members Kern, Felien, and Feller, each of whom are supposed to be committed to the welfare of the city they represent. You might want to question the reason for that. Could it be the fact that Park Owners donate large sums to their political campaigns?

The campaign for YES on E was loaded with misleading information to continue to sway voters. They told voters that voters were paying for Oceanside's administration of rent protection. Not true. Mobile home owners pay a monthly fee to the city for the administration. Park Owners claimed that, without Vacancy Decontrol, Oceanside could not maintain mobile home parks as affordable living. Not true. Mayor Wood actually warned that, without our parks, Oceanside would be in danger of losing state funding. Park owners asserted that Vacancy Decontrol would stabilize the parks. Not true. Parks in areas with Vacancy Decontrol have been decimated. They said that endless legal expenses would be charged to taxpayers due to rent protection court battles. They did not tell voters that it is the park owners that initiate the lawsuits. They continued to use the term "market value", not their actual goal of unlimited when referring to rent increases.

Supporters of NO on E collected a campaign fund of approximately \$46,000. It was supplied by small donations from mobile home owners, fund raisers, accumulated OMHA membership dues, and many ACTION endeavors. Once again, volunteer homeowners, seniors, veterans, and supporters that included many from single family home communities, with support and organization by OMHA and ACTION, went door to door throughout Oceanside communities, manned telephone banks, and rallied weekly on Oceanside street corners to ask city voters to support us. Thanks to the hard work of those volunteers and the support from organizations, Prop. E was defeated by a 2-1 vote and rent protection was protected once again. Another battle won, but the war continues. Park

owners will continue to look for ways to defeat rent protection and Councilman Kern, at the first council meeting after the election, stated that "RENT CONTROL IS GOING AWAY EITHER AT THE STATE OR LOCAL LEVEL".

Vigilance and active involvement are your only protection. Be aware of who rent protection's opponents are on both the city and state level. Be willing to campaign and vote, to do whatever necessary and is possible to stop them at the polls. If, in Oceanside, they are able to secure four Council votes in any future election, we will be left with little or no recourse.

Join OMHA at \$10.00 per year and join GSMOL at \$25 per year. Those dues are used to protect us when we need it most. It is low-cost insurance that your interests will be represented. Watch for information on ACTION meetings and get involved. If you are able to access Oceanside Channel KOCT, watch our City Council meetings. If you miss the live broadcast watch for re-runs of the meetings or access them on-line. There are votes that have been made in the past, and will doubtless continue to be made, depending on the next election, that can affect you and/or your extended families personally now and in years to come.

First and foremost, be aware of the fact that, if someone tries to sink our boat, we need all hands, not just a few, to keep rent protection afloat for YOUR benefit.

For nearly 100 years now in America, rent protection has been a very important component in fair and affordable rents.