

MOBILE HOME PARK RENT/FEE STABILIZATION ORDINANCE

Article 1: Purpose

The purpose of this ordinance is to protect the health, safety, and welfare of residents living in mobile home parks by preventing unreasonable lot rent and fee increases. Mobile homes represent a crucial source of unsubsidized affordable housing. However, because residents typically own their homes but not the land underneath them, they face unique vulnerabilities to excessive rent and fee increases. While mobile home park owners should expect to receive a reasonable rate of return on their investment, residents of those parks should expect to be protected from excessive cost increases because they may put residents at risk of homelessness or severe housing insecurity.

Article II. Definitions

- **Base Rent:** “Base Rent” means the rent amount charged for any Mobile Home Park Lot which is in effect on any specific date.
- **Mobile Home:** “Mobile Home” means a structure, transportable in one or more sections, which is 8 body feet or more in width and 32 body feet or more in length, is built on a permanent chassis, is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained in the structure.
- **Mobile Home Park:** “Mobile Home Park” means any parcel(s) of land under single or common ownership or control which contains, or is designed, laid out or adapted to accommodate, two or more Mobile Homes.
- **Mobile Home Park Lot:** “Mobile Home Park Lot” means the area of land on which an individual Mobile Home is situated within a Mobile Home Park and which is reserved for use by the occupants of that home.
- **Mobile Home Residents:** “Mobile Home Residents” means occupants of a Mobile Home who rent a parcel of land in a Mobile Home Park.
- **Park Owner:** “Park Owner” means a person, corporation or other entity that owns a Mobile Home Park.

- **Rent Increase:** “Rent Increase” means any additional lot rent or fees demanded of, or paid by, a Mobile Home Resident, and includes any reduction in services without a corresponding reduction in the amount demanded or paid for in lot rent or fees.
- **Rent Stabilization Board:** “Rent Stabilization Board” means the municipal body appointed to hear and decide petitions for additional rent increases and other matters.

Article III. Lot Rent and Fee Increase Limitations

- A. Limitation on number of rent increases:** A Park Owner may not increase the lot rent or fees more than 1 (one) time in any 12-month period.
- B. Base Rent Calculation:** Except as provided herein, a Park Owner shall not demand, accept or retain rent for a Mobile Home Park Lot that exceeds the rent in effect for that lot on the effective date of this ordinance. In the event the lot was not occupied on the effective date of this ordinance, the base rent for that lot shall not exceed the most recent lot rent plus an amount up to that specified in Article III (H).
- C. Notice Requirements:** A Park Owner shall provide notice of any increase in lot rent or fees to the affected Mobile Home Residents, no less than 90 days before the effective date of the increase. The notice must include:
 1. The name, address, telephone number and e-mail address of the Park Owner; and
 2. The amount of the increase in lot rent or fees, in dollars, and the type of any fee increased.
- D. Rent/Fee Increases not Requiring a Hearing:** Any lot rent or fee increase not exceeding the most recently posted cost of living increase for Social Security recipients does not require a hearing before the Rent Stabilization Board.
- E. Rent/Fee Increases Requiring a Hearing:** A Park Owner may seek a greater rent or fee increase to cover the cost of increased operating expenses such as taxes, insurance, utility charges and maintenance costs, in addition to certain capital improvements or other emergencies. Improvements must directly benefit Mobile Home Residents and be necessary for maintenance or the correction of health and safety conditions in the Mobile Home Park. A Park Owner seeking such a greater increase must submit a petition to the City Clerk’s Office. The City Clerk’s Office shall forward the petition to the Board and schedule a hearing, pursuant to Article VI (C). The petition

must be filed in advance of the rent or fee increase notice and contain documentation to substantiate that the increase is necessary to cover increases in operating or maintenance expenses, the cost of capital improvements, or unforeseeable expenses incurred at the Mobile Home Park. Park Owners that fail to maintain a Mobile Home Park in decent, safe, sanitary condition, as determined by the Rent Stabilization Board, shall not be allowed to exceed the basic rent increase unless the increase is used to correct health and safety violations in the Mobile Home Park.

- F. Reasonable Rate of Return:** The Park Owner is entitled to a reasonable rate of return. After considering all of the evidence provided by the Park Owner and Mobile Home Residents, the Board will determine the amount of the requested increase in rent or fees that provides a reasonable rate of return.
- G. Notice to Mobile Home Residents:** The Park Owner will promptly provide a copy of the filing of the petition and supporting documents to the Mobile Home Residents and will file proof of said notice to the Board. The Park Owner will also provide notice of the hearing date, time and location to the Mobile Home Residents and will file proof of said notice to the Board.
- H. Vacancy Base Rent:** A Park Owner shall be permitted to increase the lot rent by up to the most recently posted cost of living increase for Social Security recipients whenever a lawful vacancy occurs, and this amount shall be considered the new base rent for that Mobile Home Park Lot.
- I. Rent Increase Pending.** The rent increase proposed to go into effect on October 1, 2025, is subject to the terms of this Ordinance. For this proposed rent increase the Park Owner must submit a petition, pursuant to Article III (E).
- J. Effective Date.** For any rent/fee increase proposed by petition, including the rent increase proposed pursuant to Article III (I), the effective date of the increase approved by the Board will be 90 days from the date the petition is filed, even if the Board decision occurs more than 90 days after the filing of the petition.

Article IV. Applicability

- A. Applicability:** This ordinance applies to every Mobile Home Park within the municipality except those to which an exemption applies.

B. Exemptions: This Ordinance shall not apply to:

1. Mobile Home Parks owned by a cooperative or other entity in which membership is limited to Mobile Home Residents; or
2. Mobile Home Park Lots subject to any agreement that restricts lot rent or fee increases in a manner that is more restrictive than this Ordinance.

ARTICLE V. Rent Stabilization Board

- A. A Rent Stabilization Board (“Board”) is created to hear requests by Park Owners for lot rental and fee increases that exceed the most recently posted cost of living increase for Social Security recipients.
- B. The Board will be composed of five members with initial terms of one year for one; two years for two; and three years for two. Thereafter, terms will be for three years. Members will be nominated by the Mayor and confirmed by the Council. A majority of the Board membership will be Waterville residents. Appointments to fill vacancies will be made to continue a Waterville resident majority on the Board.
- C. At its organizational meeting, the Board will elect a Chair and Secretary. Thereafter, each January the Board will elect a Chair and Secretary. In the absence of the Chair, the Board will appoint a temporary Chair. The Board may request secretarial assistance from the City to assist in the performance of its duties.

ARTICLE VI. Hearings

- A. A Quorum is a minimum of three members, and decisions will be made by a majority of Board members present and voting.
- B. Decisions will be made by a preponderance of the evidence, and the Park Owner will have the burden of proof to establish the amount of a rent or fee increase that is a reasonable rate of return.
- C. Hearings will begin within 30 days of receipt of a petition for a rent or fee increase and will conclude within 30 days thereafter, unless the Board extends the time for good cause.
- D. The Board may receive any oral or documentary evidence but shall exclude irrelevant, immaterial or unduly repetitive evidence. Every party has the right to present the party’s case by oral or documentary evidence, to submit rebuttal evidence, and to conduct any

cross-examination that is required for a full and true disclosure of the facts.

- E. Upon the conclusion of the evidence, the Board will make its decision, which will be supported by Findings of Fact and Conclusions of Law and provided to the parties within 5 business days.
- F. A motion for reconsideration must be made within ten days of the decision being reconsidered. A decision on a motion for reconsideration must be made within 45 days of the final vote on the original decision.

ARTICLE VII. Violations

Violations of this Ordinance shall be punishable as provided in Section 5-2.9 of City Ordinances. Each lot where a violation occurs shall be considered a separate violation.

ARTICLE VIII. Appeals

- A. An appeal of the Board's decision must be made to Superior Court within 45 days of the vote on the original decision.
- B. An appeal of a decision on a motion for reconsideration must be made to Superior Court within 10 days of the decision on the motion for reconsideration.