# FRESNO MUNICIPAL CODE FINDINGS LA HACIENDA MOBILE ESTATES

#### **RENT INCREASE APPLICATION FINDINGS**

Section 12-2011 of the Fresno Municipal Code (FMC) provides that, upon request by the owner of a mobilehome park, the Mobilehome Park Rent Review and Stabilization Commission (Commission) may review and conduct a hearing regarding the rent increase application (Application), and approve the amount of rent increase that it determines to be just, fair, and reasonable.

### Findings per Fresno Municipal Code Chapter 12, Article 20

**Automatic CPI Rent Increase**: "In addition to any other rent increase allowed by this ordinance, an owner may increase mobilehome space rents once annually by a factor not to exceed seventy-five (75) percent of the previous year's Consumer Price Index for the period between November 1 and October 31..." (FMC § 12-2014.)

Tana Colosof Crim (Fine 3 12 20 Fin)		
Finding 1 – OPTION 1: The Automatic	Pursuant to Fresno Municipal Code section 12-2014, La Hacienda Mobile Estates, LLC may increase the mobilehome space rents at La Hacienda Mobile Estates by 6.6%. This is the factor of 75% of 8.8%, the previous year's Consumer Price Index (CPI) for the period between November 1 and October 31.	
CPI Increase is Approved, with a Base Rent of	After review of the Application, the Residents' Committee's Opposition, and all other relevant evidence submitted to the Commission, the Commission has determined by preponderance of the evidence that the base rent at La Hacienda Mobile Estates is \$377.58.	
\$377.58	La Hacienda Mobile Estates may increase its space rents by \$24.92 per month.	
Finding 1 – OPTION 2: The Automatic	Pursuant to Fresno Municipal Code section 12-2014, La Hacienda Mobile Estates, LLC may increase the mobilehome space rents at La Hacienda Mobile Estates by 6.6%. This is the factor of 75% of 8.8%, the previous year's Consumer Price Index (CPI) for the period between November 1 and October 31.	
CPI Increase	After review of the Application, the Residents' Committee's Opposition, and all	

other relevant evidence submitted to the Commission, the Commission has determined by preponderance of the evidence that the base rent at La Hacienda Mobile Estates is \$300.00.

La Hacienda Mobile Estates may increase its space rents by \$19.80 per month.

**Just, Fair, and Reasonable Rent Increase**: "...the Commission shall make its decision on the rent increase application. The decision shall approve the amount of rent increase, if any, the Commission determines to be just, fair, and reasonable according to the factors set forth in Section 20-2012..." (FMC § 12-2011(e).)

is Approved,

with a Base

Rent of \$300

Finding 2 – OPTION 1:	La Hacienda Mobile Estates, LLC has identified three relevant "just, fair, and reasonable" factors to substantiate their rent increase application.
An Additional Rent Increase Is Just, Fair,	"  (c) Rent lawfully charged for comparable mobilehome spaces in comparable mobilehome parks

#### and Reasonable

(e) The completion of any capital improvements or rehabilitation work related to or benefiting the mobilehome spaces specified in the rent increase application and the cost of such improvements or work, including but not limited to costs for materials, labor, construction interest, permit fees and other items.

. . .

(k) A just and reasonable rate of return on the owner's investment in the mobilehome park. A just and reasonable rate of return shall be one high enough to encourage good management, reward efficiency, discourage flight of capital from the mobilehome park and enable the owner to maintain its credit, shall be commensurate with returns in enterprises comparable to the subject mobilehome park, but shall not be so high as to defeat the purpose of this article to protect residents against excessive rent increases."

After review of the Application, the Residents' Committee's Opposition, and all other relevant evidence submitted to the Commission, the Commission has determined that in addition to the Automatic CPI Increase in Finding 1, a rent increase in addition to the Automatic CPI Increase in Finding 1 would be just, fair, and reasonable.

## Finding 2 – OPTION 2:

No Additional Rent Increase Is Just, Fair, and Reasonable La Hacienda Mobile Estates, LLC has identified three relevant "just, fair, and reasonable" factors to substantiate their rent increase application.

" . . .

(c) Rent lawfully charged for comparable mobilehome spaces in comparable mobilehome parks.

. . .

(e) The completion of any capital improvements or rehabilitation work related to or benefiting the mobilehome spaces specified in the rent increase application and the cost of such improvements or work, including but not limited to costs for materials, labor, construction interest, permit fees and other items.

. . .

(k) A just and reasonable rate of return on the owner's investment in the mobilehome park. A just and reasonable rate of return shall be one high enough to encourage good management, reward efficiency, discourage flight of capital from the mobilehome park and enable the owner to maintain its credit, shall be commensurate with returns in enterprises comparable to the subject mobilehome park, but shall not be so high as to defeat the purpose of this article to protect residents against excessive rent increases."

After review of the Application, the Residents' Committee's Opposition, and all other relevant evidence submitted to the Commission, the Commission has determined that no amount in addition to the Automatic CPI Increase in Finding 1 would be just, fair, and reasonable.

Based upon the Application, the Residents' C submitted to the Commission:	Committee's Opposition, and all other relevant evidence			
<b>Finding 1</b> : The Commission adopts Optic pursuant to Fresno Municipal Code Section	on and approves a rent increase of \$ 12-2014.			
<b>Finding 2</b> : The Commission adopts Optic pursuant to Fresno Municipal Code Sections	on and approves a rent increase of \$ s 12-2011(e) and 12-2012.			
It is the Commission's determination that Lathe total amount of \$	Hacienda may increase its mobilehome space rent in			
* * *	. * * * * * * * * * *			
STATE OF CALIFORNIA ) COUNTY OF FRESNO ) ss. CITY OF FRESNO )				
The foregoing Hearing Decision of the Mobilehome Park Rent Review and Stabilization Commission of the City of Fresno was adopted by Resolution of the Mobilehome Park Rent Review and Stabilization Commission upon a motion by Commissioner, seconded by Commissioner,				
VOTING: AYES: NOES:				
NOT VOTING: ABSENT:	None			
DATED:	, Secretary			
	Fresno City Mobilehome Park Rent Review and Stabilization Commission			
APPROVED AS TO FORM: ANDREW JANZ City Attorney				
By: Date Title				
MPRRSC Hearing Decision No. 2023-01				

SAP:th