

CARSON MUNICIPAL CODE REQUIREMENTS TO CLOSE A MOBILEHOME PARK
(as of January 1, 2018)

CMC 9201.7.2 Mobile Home Relocation Impact Report.

At the time of filing a tentative tract map or parcel map for a subdivision to be created upon the closure of a mobile home park or a trailer park or any part thereof or to conversion to another use or to a vacant use, unless a written notice under Section [798.56](#) of the California Civil Code has previously been given and a Relocation Impact Report (RIR) has been filed and accepted as complete pursuant to CMC [9128.21](#), the subdivider shall file an RIR concurrently with the filing of the map. The RIR shall be processed as provided in CMC [9128.21](#), except that it shall be heard before the Commission and the Council on appeal in conjunction with the tentative tract map or parcel map, and recordation of the final map shall be conditioned upon performance of mitigation measures, if any, imposed in the resolution of approval of the RIR. (Ord. 82-589U, § 3; Ord. 82-618, § 3; Ord. 92-965, § 10)

CMC 9128.21 Relocation Impact Report (RIR).

For the purpose of this Section, any closure of a mobile home park or trailer park or any part thereof or any change of the park's status to a vacant use shall be deemed to be conversion of the park.

Prior to the conversion of a mobile home park or trailer park or any part thereof to any other use or to a vacant use, the person or entity (hereinafter "the applicant") proposing such conversion shall file an application with the City and obtain approval from the City of a relocation impact report (RIR) in accordance with the provisions contained in this Section.

For the purpose of this Section, the term "Mobile Home" shall mean a vehicle designed or used for human habitation and shall include camping trailers, motor homes, slide-in campers and travel trailers, when used as the occupant's primary place of residence as established by nine (9) months' continuous residency, and mobile homes as defined in the California Mobile Home Residency Law, Civil Code Section [798](#), et seq.

No sign stating that the mobile home park or trailer park is closing, may be closing or has been closed, and no sign concerning a proposed new use of the park, may be placed on or adjacent to a mobile home park or trailer park before the City has adopted a final resolution approving the RIR for the park and the applicant has executed and recorded a certificate of acceptance of the conditions of the resolution approving the RIR and given the required six (6) months' notice of termination of tenancy.

A. Time for Filing RIR. An RIR shall be filed by the applicant and approved by the Commission prior to the giving of the written notice of change in use of a mobile home park or trailer park or any portion thereof required by Section [798.56](#) of the California Civil Code. The RIR shall constitute an application for a permit requesting a change of use within the meaning of Section [798.56](#) of the California Civil Code.

If the applicant files a tentative tract or parcel map to a subdivision to be created upon the conversion of a mobile home park or a trailer park to another use prior to giving the written notice under Section [798.56](#) of the California Civil Code, then the RIR shall be filed concurrently with the filing of the map.

B. Application and Resident Questionnaire. The City may require that the applicant file an application on a form, provided by the City, concurrently with the filing of an RIR.

The City may also require that the applicant give to each affected mobile home owner a questionnaire, provided by the City, which includes, but is not limited to:

1. The purchase price and date of purchase of the mobile home by the resident. (Information may be provided at the option of the resident.)
2. The amount and terms of any remaining amount due on a mortgage on the mobile home.

3. The cost incurred by the resident in making any improvements, such as additions to or enlargement of the mobile home, patios, porches, carports, landscaping, and related amenities.
4. Any circumstances, including but not limited to job location, which would restrict the area in which the resident is able to relocate.

All questionnaires shall be given to each resident by the applicant at least forty (40) days prior to filing the proposed RIR with the City and shall be returned by each resident to the applicant within thirty (30) days. All completed questionnaires shall be submitted to the City by the applicant concurrently with the filing of an RIR.

Said questionnaires shall be kept separate from the RIR and will not be included in the RIR sent to each resident. The identity of a resident and his or her individual responses shall be confidential and shall not be divulged except as necessary to determine the relocation assistance to be received by that particular resident or to settle disputes concerning the relocation assistance approved by the City. The City may also require information, such as that in the questionnaire, directly from the resident.

C. Content of RIR. The RIR shall contain the following:

1. A description of the proposed new use.
2. A timetable for conversion of the park.
3. A legal description of the park.
4. The number of spaces in the park, length of occupancy by the current occupant of each space, and current rental rate for each space.
5. The date of manufacture and size of each mobile home.
6. The appraised on-site value and off-site value of each of the mobile homes in the park. The appraiser is to be selected by the City and the cost is to be borne by the applicant.
7. The total number of mobile home residents, broken down space by space, to identify owner or renter occupancy, principal or second home occupancy, resident under sixteen (16) years of age, residents sixty-two (62) years of age or over, and the number of residents who are handicapped and/or disabled.
8. The name and mailing address of each mobile home resident and each nonresident mobile home owner.
9. A list of known available spaces in the South Bay-Long Beach area of Los Angeles County, the Orange County area and other areas of Los Angeles County within a fifty (50) mile radius from the park, including any written commitments from mobile home parks and trailer park owners willing to accept displaced residents, the comparability of such parks and the rental rates for such spaces.
 - a. If comparable spaces are not available for the mobile homes of the residents within the above described areas, the RIR shall contain information on the location and rental rates of available spaces in other areas, if any, within a reasonable distance from the mobile home park, the purchase price of comparable mobile homes in place in a comparable park within a reasonable distance, the purchase and installation cost of a new mobile home if spaces are available for new mobile homes in a comparable park within a reasonable distance, the rental rates in such parks.
 - b. If comparable spaces are not available within a reasonable distance, the purchase price of condominiums similar in size to the mobile homes within a reasonable distance, and the rental rates and moving costs involved in moving to an apartment or other rental unit within a reasonable distance.

10. Estimates from two (2) moving companies as to the minimum and per mile cost of moving mobile homes of various sizes, including tear-down and setup of mobile homes and moving of improvements such as porches, carports, patios, and other moveable amenities installed by the residents. Said moving companies shall be approved by the Director of Community Development (hereinafter "Director") prior to inclusion with the RIR.

11. Proposed measures to mitigate the adverse impacts of the conversion upon the park residents.

12. The City may require that the applicant hire a Relocation Specialist to find alternate housing. The specialist shall be selected by the applicant, subject to the City's approval, and shall be paid for by the applicant.

13. Information whether residents have been offered the option of a long-term lease of the land and purchase of the improvements if the park is to be sold.

D. Hearing and Notice. Upon filing of an RIR, the Director shall examine the same and advise the applicant within thirty (30) days after receipt thereof whether it is complete. When a complete RIR has been filed it shall be accepted by the Director, and the Director shall set a time, date and place for review of the RIR by the Commission not later than forty-five (45) days after the date of acceptance. The Director shall mail a copy of the RIR to all residents of the mobile home park or trailer park and any nonresident owners of mobile homes in the park and shall give notice by certified mail or personal delivery to the applicant, the residents, and any nonresident owners of mobile homes in the park of the date, time and place of the hearing at least thirty (30) days prior thereto. The RIR sent to each resident and nonresident mobile home owner shall not include the resident questionnaire, however it shall include the individual appraisal of that resident's mobile home. The notice shall also contain a general explanation of the matters to be considered by the Commission. The Director may give such additional notice as the Commission deems necessary or desirable. The hearing shall be conducted and the decision made in accordance with CMC [9173.23](#), [9173.31](#), [9173.32](#) and [9173.33](#).

E. Commission Findings and Decision. Upon review of the RIR and consideration of the written and oral evidence received at the hearing, the Commission shall, by resolution, render its decision within forty-five (45) days of the date first set for hearing. The Commission shall approve the RIR if it is able to make an affirmative finding that reasonable measures have been provided in an effort to mitigate the adverse impact of the conversion on the ability of the park residents to be displaced to find alternative housing. If the Commission does not make this finding and is unable to impose reasonable measures to mitigate the adverse impact, the Commission may disapprove the RIR. No other permit or approval shall be granted in furtherance of the proposed conversion and no change of use shall occur until and unless an RIR has been approved.

In approving an RIR, the Commission may impose reasonable measures not exceeding the reasonable costs of relocation to mitigate adverse impacts created by the conversion, which may include, but not be limited to, any of the following:

1. Provision for payment of the cost of physically moving the mobile home to a new site, including tear-down and setup of mobile homes, including, but not limited to, movable improvements such as patios, carports and porches.
2. Payment of a lump sum to compensate for payment of the first and last month's rent and any security deposit at the new mobile home park.
3. Payment of a lump sum to compensate for any differential between rental rates at the closing mobile home park and the new mobile home park during the first year of the new tenancy.
4. For those mobile home residents who move to apartments or other rental housing alternatives, provision for the first and last month's rent, plus security deposit, cleaning fees, not to exceed the Fair Market Rents for new construction and substantial rehabilitation for the Los

Angeles area as established by the U.S. Department of Housing and Urban Development. Mobile home households may be compensated based on the number of bedrooms in the mobile home so that a one (1) bedroom mobile home may be compensated based on a one (1) bedroom apartment, a two (2) bedroom mobile home based on a two (2) room apartment, etc.

5. For those mobile home residents who move to apartments or other rental housing alternatives, a lump sum payment to compensate for any differential between rental rates at the closing mobile home park and the rental housing alternative during the first year of tenancy. Mobile home households may be compensated based on the Fair Market Rents for new construction and substantial rehabilitation for the Los Angeles area as established by the U.S. Department of Housing and Urban Development. Mobile home households may be compensated based on the number of bedrooms in the mobile home so that a one (1) bedroom mobile home may be compensated based on a one (1) bedroom apartment, a two (2) bedroom mobile home based on a two (2) bedroom apartment, etc.

6. Provision of a replacement space within a reasonable distance of the mobile home park or trailer park.

7. A requirement that a resident whose mobile home cannot be relocated within a reasonable distance to a comparable park be compensated by a lump sum payment based upon consideration of the fair market value of the mobile home on-site, including resident improvements (i.e., landscaping, porches, carports, etc.), any mortgage obligations of the resident on the mobile home, and the costs of purchasing a mobile home on-site in a comparable park or acquiring other comparable replacement housing.

8. A provision for setting aside a certain number of units for the residents of the park if the park is to be converted to another residential use.

The total of the mitigation measures required shall be subject to and shall not exceed the limitation in Government Code Section [65863.7](#) which provides: the steps required to be taken to mitigate shall not exceed the reasonable costs of relocation.

F. Effective Date of Commission – Decision and Appeal. The decision of the Planning Commission shall become effective and final fifteen (15) days after the date of its decision unless an appeal is filed in accordance with CMC [9173.4](#). An appeal shall be considered by the Council as provided in CMC [9173.4](#) except that the Director shall advise the appellant within fifteen (15) days after receipt thereof whether it is complete, shall set a date for the appeal hearing not later than thirty (30) days after it is accepted as complete, shall give fifteen (15) days' notice of the hearing to all affected parties in the manner required by subsection D of this Section and the Council shall, by resolution, render its findings and decision thereon within forty-five (45) days after the date first set for hearing on the appeal.

G. Subsequent Modification of Mitigation Measures.

1. After an RIR has been approved and after the applicant has executed and recorded a certificate of acceptance of the conditions of the RIR, modification of the mitigation measures imposed, including additions and deletions, may be considered upon the filing of a written application by the applicant, or the applicant's authorized representative. Modification may be granted on the grounds that there has been a change in circumstances or new information, which could not reasonably have been known or considered at the time of the hearings on the RIR, has become available. Examples of such new information or changed circumstances include, but are not limited to, revised plans by the applicant and a change in the availability of relocation spaces. Modification shall not be granted when it would unreasonably prejudice the ability of the residents to relocate to comparable housing.

2. Any application for modification shall be subject to the notice and hearing procedures set forth in subsection D of this Section. The decision and any appeal in connection with a modification request shall take place as with the initial approval.

H. Performance of Mitigation Measures. The applicant shall execute and record a certificate accepting the mitigation measures imposed on the approval of an RIR within thirty (30) days of the final resolution approving the RIR and imposing the mitigation measures and shall give the six (6) month notice of the termination of tenancy and closure of the park within forty-five (45) days of the adoption of that resolution. A resolution approving an RIR shall automatically become null and void if the certificate accepting the conditions is not filed and executed and the notice of termination not given within forty-five (45) days of the date of the final resolution approving the RIR. All mitigation measures imposed in the approval of an RIR shall be fully performed as to each resident prior to that resident's required vacation of the mobile home park or trailer park, unless otherwise provided in the mitigation measure. No resident shall be required to vacate a mobile home/trailer space unless the applicant is in full compliance with all mitigation measures imposed pertaining to such resident, and has otherwise fulfilled the notice requirements of the California Mobile Home Residency Law relating to "Termination of Tenancy" and the notice required in CMC [4700](#) through [4709](#).

I. Expiration, Extension and Revocation of RIR.

1. Expiration. An RIR shall become automatically null and void if the conversion of the mobile home park has not occurred within twelve (12) months of its effective date unless extended as provided in subsection (I)(2) of this Section or unless otherwise provided in the RIR or the resolution of approval of the RIR.

2. Extension. Upon application by the applicant filed with the Director on or before the date of expiration of the RIR, an RIR may be extended by the Commission, or the Council on appeal, if the Commission finds that the termination of the RIR would constitute an undue hardship to the applicant and that the continuation of the RIR would not be detrimental or have any further adverse impact on the residents in the park. An application for an extension shall be subject to the hearing and notice procedures set forth in subsection D of this Section. In approving an extension, the Commission may subject the RIR to any additional mitigation measures deemed necessary to mitigate any adverse impacts resulting from the extension. Multiple extensions may be granted, but no one (1) extension shall be issued for more than twelve (12) months.

3. Revocation. Proceedings for the revocation of an RIR may be initiated by the Council, the Commission or the Director. Upon initiation of a revocation, the Commission shall conduct a hearing with notice given in the same manner set forth in subsection D of this Section, except that notice to the applicant shall be by certified mail or personal service. After the hearing, the Commission may, by resolution, revoke the RIR if any of the following findings are made:

a. Approval was obtained by fraud, deceit or misrepresentation.

b. The applicant is not or has not been in compliance with the mitigation measures contained in the RIR or with the provisions of this Section.

c. A revocation shall be effective fifteen (15) days after the date of the action by the Commission unless an appeal is filed in accordance with CMC [9173.4](#). An appeal shall be considered by the Council as provided in CMC [9173.4](#).

d. Upon revocation, the applicant shall not be entitled to convert or change the use of the park until such time as a new RIR is filed and accepted as complete by the Director, a new written notice of change of use is given to park residents and a new RIR is approved by the Commission.

J. Time Limits. The time limits set forth in subsections A through I of this Section may be extended with the applicant's consent and waiver of the applicable time limits in writing or orally on the record during a public hearing.

K. Severability. If any section, subsection, sentence, clause, phrase or portion of subsections A through I of this Section is for any reason held to be invalid or unconstitutional by the decision

of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions. The City Council hereby declares that it would have adopted said sections and each subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one (1) or more of said sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Effect on Pending Applications. Any completed RIR application pending upon the effective date of this Section shall continue to be processed and the applicant shall have thirty (30) days in which to provide any further information required by this Section. (Ord. 82-589U, § 1; Ord. 82-618, § 2; Ord. 89-882, §§ 1 – 12; Ord. 92-965, §§ 1 – 9; Ord. 92-966, § 6)

References

California Civil Code 798.56 Seven Authorized Reasons For Termination Of Tenancy

A tenancy shall be terminated by the management only for one or more of the following reasons:

- (a) Failure of the homeowner or resident to comply with a local ordinance or state law or regulation relating to mobilehomes within a reasonable time after the homeowner receives a notice of noncompliance from the appropriate governmental agency.
- (b) Conduct by the homeowner or resident, upon the park premises, that constitutes a substantial annoyance to other homeowners or residents.
- (c) (1) Conviction of the homeowner or resident for prostitution, for a violation of subdivision (d) of Section 243, paragraph (2) of subdivision (a), or subdivision (b), of Section 245, Section 288, or Section 451, of the Penal Code, or a felony controlled substance offense, if the act resulting in the conviction was committed anywhere on the premises of the mobilehome park, including, but not limited to, within the homeowner's mobilehome.
(2) However the tenancy may not be terminated for the reason specified in this subdivision if the person convicted of the offense has permanently vacated, and does not subsequently reoccupy, the mobilehome.
- (d) Failure of the homeowner or resident to comply with a reasonable rule or regulation of the park that is part of the rental agreement or any amendment thereto.

No act or omission of the homeowner or resident shall constitute a failure to comply with a reasonable rule or regulation unless and until the management has given the homeowner written notice of the alleged rule or regulation violation and the homeowner or resident has failed to adhere to the rule or regulation within seven days. However, if a homeowner has been given a written notice of an alleged violation of the same rule or regulation on three or more occasions within a 12-month period after the homeowner or resident has violated that rule or regulation, no written notice shall be required for a subsequent violation of the same rule or regulation.

Nothing in this subdivision shall relieve the management from its obligation to demonstrate that a rule or regulation has in fact been violated.

- (e) (1) Nonpayment of rent, utility charges, or reasonable incidental service charges; provided that the amount due has been unpaid for a period of at least five days from its due date, and provided that the homeowner shall be given a three-day written notice subsequent to that five-day period to pay the amount due or to vacate the tenancy. For purposes of this subdivision, the five-day period does not include the date the payment is due. The three-day written notice shall be given to the homeowner in the manner prescribed by Section 1162 of the Code of Civil Procedure. A copy of this notice shall be sent to the persons or entities specified in subdivision (b) of Section 798.55 within 10 days after notice is delivered to the homeowner. If the homeowner cures the default, the notice need not be sent. The notice may be given at the same time as the 60 days' notice required for termination of the tenancy. A three-day notice given pursuant to this subdivision shall contain the following provisions printed in at least 12-point boldface type at the top of the notice, with the appropriate number written in the blank: "Warning: This notice is the (insert number) three-day notice for nonpayment of rent, utility charges, or other reasonable incidental services that has been served upon you in the last 12 months. Pursuant to Civil Code Section 798.56 (e) (5), if you

have been given a three-day notice to either pay rent, utility charges, or other reasonable incidental services or to vacate your tenancy on three or more occasions within a 12-month period, management is not required to give you a further three-day period to pay rent or vacate the tenancy before your tenancy can be terminated."

- (2) Payment by the homeowner prior to the expiration of the three-day notice period shall cure a default under this subdivision. If the homeowner does not pay prior to the expiration of the three-day notice period, the homeowner shall remain liable for all payments due up until the time the tenancy is vacated.
- (3) Payment by the legal owner, as defined in Section 18005.8 of the Health and Safety Code, any junior lien holder, as defined in Section 18005.3 of the Health and Safety Code, or the registered owner, as defined in Section 18009.5 of the Health and Safety Code, if other than the homeowner, on behalf of the homeowner prior to the expiration of 30 calendar days following the mailing of the notice to the legal owner, each junior lienholder, and the registered owner provided in subdivision (b) of Section 798.55, shall cure a default under this subdivision with respect to that payment.
- (4) Cure of a default of rent, utility charges, or reasonable incidental service charges by the legal owner, any junior lienholder, or the registered owner, if other than the homeowner, as provided by this subdivision, may not be exercised more than twice during a 12-month period.
- (5) If a homeowner has been given a three-day notice to pay the amount due or to vacate the tenancy on three or more occasions within the preceding 12-month period and each notice includes the provisions specified in paragraph (1), no written three-day notice shall be required in the case of a subsequent nonpayment of rent, utility charges, or reasonable incidental service charges.

In that event, the management shall give written notice to the homeowner in the manner prescribed by Section 1162 of the Code of Civil Procedure to remove the mobilehome from the park within a period of not less than 60 days, which period shall be specified in the notice. A copy of this notice shall be sent to the legal owner, each junior lienholder, and the registered owner of the mobilehome, if other than the homeowner, as specified in paragraph (b) of Section 798.55, by certified or registered mail, return receipt requested, within 10 days after notice is sent to the homeowner.

- (6) When a copy of the 60 days' notice described in paragraph (5) is sent to the legal owner, each junior lienholder, and the registered owner of the mobilehome, if other than the homeowner, the default may be cured by any of them on behalf of the homeowner prior to the expiration of 30 calendar days following the mailing of the notice, if all of the following conditions exist:
 - (A) A copy of a three-day notice sent pursuant to subdivision (b) of Section 798.55 to a homeowner for the nonpayment of rent, utility charges, or reasonable incidental service charges was not sent to the legal owner, junior lienholder, or registered owner, of the mobilehome, if other than the homeowner, during the preceding 12-month period.
 - (B) The legal owner, junior lienholder, or registered owner of the mobilehome, if other than the homeowner, has not previously cured a default of the homeowner during the preceding 12-month period.
 - (C) The legal owner, junior lienholder or registered owner, if other than the homeowner, is not a financial institution or mobilehome dealer.

If the default is cured by the legal owner, junior lienholder, or registered owner within the 30-day period, the notice to remove the mobilehome from the park described in paragraph (5) shall be rescinded.

(f) Condemnation of the park.

(g) Change of use of the park or any portion thereof, provided:

- (1) The management gives the homeowners at least 15 days' written notice that the management will be appearing before a local governmental board, commission, or body to request permits for a change of use of the mobilehome park.
- (2) After all required permits requesting a change of use have been approved by the local governmental board, commission, or body, the management shall give the homeowners

six months' or more written notice of termination of tenancy.

If the change of use requires no local governmental permits, then notice shall be given 12 months or more prior to the management's determination that a change of use will occur. The management in the notice shall disclose and describe in detail the nature of the change of use.

- (3) The management gives each proposed homeowner written notice thereof prior to the inception of his or her tenancy that the management is requesting a change of use before local governmental bodies or that a change of use request has been granted.
 - (4) The notice requirements for termination of tenancy set forth in Sections 798.56 and 798.57 shall be followed if the proposed change actually occurs.
 - (5) A notice of a proposed change of use given prior to January 1, 1980, that conforms to the requirements in effect at that time shall be valid. The requirements for a notice of a proposed change of use imposed by this subdivision shall be governed by the law in effect at the time the notice was given.
- (h) The report required pursuant to subdivisions (b) and (i) of Section 65863.7 of the Government Code shall be given to the homeowners or residents at the same time that notice is required pursuant to subdivision (g) of this section.
- (i) For purposes of this section, "financial institution" means a state or national bank, state or federal savings and loan association or credit union, or similar organization, and mobilehome dealer as defined in Section 18002.6 of the Health and Safety Code or any other organization that, as part of its usual course of business, originates, owns, or provides loan servicing for loans secured by a mobilehome.

CMC 9173.23 Conduct of Hearing

A. Rules. The Commission shall adopt and publish rules for the conduct of its hearings.

B. Continuances. Any hearing may be continued from time to time if the time and place of the continuance is announced prior to adjournment.

C. Record of Hearing. Each hearing shall be recorded electronically or stenographically. A transcript shall be prepared and provided to any person on request and the payment of a fee to recover the cost of such preparation.

CMC 9173.31 Findings and Decision

A. In connection with each decision by the Commission or Director, written findings shall be adopted relating to the applicable criteria of the State Planning and Zoning Law and of this Chapter, and based upon the hearing and the record of the case.

B. When more than one (1) type of decision is being made on a case, the findings and decision for each type of decision shall be presented as a separate document.

CMC 9173.32 Notification of Decision

For each decision, notice of the decision shall be sent by first class mail to:

A. The applicant or person initially requesting consideration of the matter.

B. Each person who has filed a written request therefor. (Ord. 78-434)

CMC 9173.33 Effective Date

Except as otherwise provided in the decision or by law:

A. Decisions which are subject to appeal shall become effective fifteen (15) days from the date of action by the Commission or, in the case of Director's decision, fifteen (15) days from the date of the written notice containing the decision, unless appealed.

B. Decisions not subject to appeal shall become effective immediately.

Government Code Section 65863.7

(a) Prior to the conversion of a mobilehome park to another use, except pursuant to the Subdivision Map Act (Division 2 (commencing with Section 66410) of Title 7), or prior to closure of a mobilehome park or

cessation of use of the land as a mobilehome park, the person or entity proposing the change in use shall file a report on the impact of the conversion, closure, or cessation of use upon the displaced residents of the mobilehome park to be converted or closed. In determining the impact of the conversion, closure, or cessation of use on displaced mobilehome park residents, the report shall address the availability of adequate replacement housing in mobilehome parks and relocation costs.

(b) The person proposing the change in use shall provide a copy of the report to a resident of each mobilehome in the mobilehome park at least 15 days prior to the hearing, if any, on the impact report by the advisory agency, or if there is no advisory agency, by the legislative body.

(c) When the impact report is filed prior to the closure or cessation of use, the person or entity proposing the change shall provide a copy of the report to a resident of each mobilehome in the mobilehome park at the same time as the notice of the change is provided to the residents pursuant to paragraph (2) of subdivision (g) of Section 798.56 of the Civil Code.

(d) When the impact report is filed prior to the closure or cessation of use, the person or entity filing the report or park resident may request, and shall have a right to, a hearing before the legislative body on the sufficiency of the report.

(e) The legislative body, or its delegated advisory agency, shall review the report, prior to any change of use, and may require, as a condition of the change, the person or entity to take steps to mitigate any adverse impact of the conversion, closure, or cessation of use on the ability of displaced mobilehome park residents to find adequate housing in a mobilehome park. The steps required to be taken to mitigate shall not exceed the reasonable costs of relocation.

(f) If the closure or cessation of use of a mobilehome park results from the entry of an order for relief in bankruptcy, the provisions of this section shall not be applicable.

(g) The legislative body may establish reasonable fees pursuant to Section 66016 to cover any costs incurred by the local agency in implementing this section and Section 65863.8. Those fees shall be paid by the person or entity proposing the change in use.

(h) This section is applicable to charter cities.

(i) This section is applicable when the closure, cessation, or change of use is the result of a decision by a local governmental entity or planning agency not to renew a conditional use permit or zoning variance under which the mobilehome park has operated, or as a result of any other zoning or planning decision, action, or inaction. In this case, the local governmental agency is the person proposing the change in use for the purposes of preparing the impact report required by this section and is required to take steps to mitigate the adverse impact of the change as may be required in subdivision (e).

(j) This section is applicable when the closure, cessation, or change of use is the result of a decision by an enforcement agency, as defined in Section 18207 of the Health and Safety Code, to suspend the permit to operate the mobilehome park. In this case, the mobilehome park owner is the person proposing the change in use for purposes of preparing the impact report required by this section and is required to take steps to mitigate the adverse impact of the change as may be required in subdivision (e).

CMC 9173.4 Appeals

A. Appellate Authority. Any decision made by the Director pursuant to this Chapter may be appealed to the Commission. Any decision made by the Commission pursuant to this Chapter may be appealed to the Council.

B. Filing of Appeal.

1. An appeal may be filed by any person, including any member of the City Council or the City Administrator.
2. An appeal shall be filed in writing within fifteen (15) days of the date of the Commission action, or in the case of an action by the Director, within fifteen (15) days of the date of the notice of decision.
3. The form and content of an appeal shall include:
 - a. The street address, if there is one, otherwise the legal description and location of the premises included in the action.

- b. The administrative file number (case number) identifying the matter which is being appealed.
 - c. The specific matter being appealed.
 - d. A statement of the grounds for appeal or how there is error in the decision of the matter being appealed.
4. Unless otherwise provided, all appeals shall be filed with the City Clerk.
5. If the appeal is found to be deficient, the City Clerk shall deliver or mail to the appellant, by certified mail, a notice specifying the particulars in which the appeal is deficient. If such deficiency has not been corrected by the appellant within seven (7) days after such mailing of such a notice of deficiency by filing with the City Clerk a sufficient amendment to the appeal, the appeal shall be deemed to be withdrawn and the appeal fee shall be returned to the appellant.
- C. Consideration and Decision.
1. Upon acceptance of the filing of an appeal, the City Clerk shall set the matter for public hearing before the appellate body, in the same manner as required for a Commission hearing of such matter. The City Clerk shall notify the Director who shall transmit to the appellate body a summary of the factual data and the record of action taken on the case.
2. Except as otherwise provided in this Chapter, in acting on an appeal the appellate body may:
- a. Affirm the decision; or
 - b. Modify the decision; or
 - c. Refer the matter back to the body from which the appeal originated, with instructions; or
 - d. Reverse the decision.
3. Unless referred back to the body from which the appeal originated, the appellate decision shall be supported by written findings. (Ord. 78-458, § 1; Ord. 83-668, § 1; Ord. 84-701, § 1)
- D. Failure to Act. The appellate body shall, within sixty (60) days of the filing of an appeal, act to either affirm, reverse, modify, continue or refer matter back.

CMC 4700 Short Title

Chapter 7 of Article IV of the Carson Municipal Code may be cited as the “Mobilehome Space Rent Control Ordinance” of the City of Carson. (Ord. 79-485U)

CMC 4709 City Council Review of This Chapter

The City Council shall review the provisions of this Chapter six (6) months after the date of adoption thereof, and at any other time deemed appropriate, in order to consider the following:

- (a) Whether mobilehome space rent control continues to be necessary to protect the public health, safety and welfare;
- (b) Whether the implementation of the provisions of this Chapter have been adequate; and
- (c) Whether the provisions of this Chapter should be amended to provide more effective regulations or to avoid unnecessary hardship. (Ord. 79-485U)