

CITY OF YUCAIPA



MOBILEHOME PARK RENT STABILIZATION PROGRAM

**Capital Improvement and
Emergency Capital Improvement
Rent Adjustment Application**

(Revised 04/2020)

Reference Yucaipa Municipal Code (YMC) Ch. 15.20 and
Administrative Rules Adopted Pursuant to Ch. 15.20

(Links to YMC Ch. 15.20, Administrative Rules, and Applications and Forms may be accessed from the
“Mobilehome Rent Stabilization Program” portion of yucaipa.org)

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GENERAL INSTRUCTIONS

REQUIRED CONTENTS OF APPLICATION

1. One (1) copy of the completed application and all supporting documentation must be submitted in order for your application to be deemed complete. You must also submit an electronic copy of the application form and all supporting documentation in jpeg or pdf format. Any additional supporting documentation requested by the Rent Administrator must be submitted to the City prior to the hearing on the application in accordance with the directions of the Rent Administrator. Supporting documentation includes, but is expressly not limited to: invoices, statements, bank records, cancelled checks, cancelled bills, financial statements, photographic evidence, citations and/or notices from governmental agencies, correspondence between the Park Owner and residents, and notices issued to Park Residents. **ALL PAGES MUST BE SEQUENTIALLY NUMBERED WITH BATES NUMBERS OR OTHER SIMILAR NUMBERING SYSTEM BEFORE COPIES ARE MADE, AND ALL ATTACHMENTS MUST BE LABELED TO CORRESPOND TO THE RELATED SECTION OF THE APPLICATION FORM PRIOR TO SUBMISSION.**
2. A filing fee of \$1,750. All checks and money orders should be made payable to the City of Yucaipa. No application shall be deemed complete or set for hearing unless the Applicant has paid the required filing fee.
3. A Proof of Service (located on page 3 of this Application) certifying that the Applicant (i) posted a Notice of Filing of Rent Adjustment Application and a complete copy of the application (including all supporting documentation) in three locations in the park, and (ii) served a complete copy of the application (including all supporting documentation) and a Notice of Filing of Rent Adjustment Application by mail or personal delivery on the Park Resident Representative informing him/her that the application was filed with the City (Notice of Filing of Application enclosed with this application form as Attachment 2).
4. A Declaration Under Penalty of Perjury (located on page 4 of this Application) signed by the Park Owner/Park Owner Representative, certifying that the information, documentation and statements contained in the application are true and correct.
5. Four (4) sets of self-sticking address labels addressed to the Park Resident Representative and to each park space showing the space number and address.

EXAMPLE:

| | |
|-------------------|-------------------------------|
| Park Name: | Yucaipa Mobilehome Park |
| Park Address: | 12345 Main Street, Space #100 |
| City, State, Zip: | Yucaipa, CA 92399 |

PLEASE NOTE: An application will not be deemed complete until the Applicant has provided all information and documentation required by the application form pursuant to YMC §15.20.085 and §15.20.105 and Administrative Rules, Chapter 1 and §4.0002.

FORMAT OF APPLICATION

1. The application shall be typed or printed in black ink.
2. All attached pages should be 8-1/2" x 11".
3. All attachments and documentation must be sequentially numbered with bates numbers or other similar numbering system before copies are made, and all attachments must be labeled to correspond to the related section of the application form prior to submission.
4. Applicants may submit copies of supporting documentation but these may not substitute for pages of the application.

If information required in this application is unavailable for any reason, please indicate the reason for its unavailability at the appropriate section in the application.

DELIVERY OF APPLICATION

The application and all supporting documents must be delivered to:

Mobilehome Rent Administrator
City of Yucaipa
34272 Yucaipa Blvd.
Yucaipa, CA 92399

CITY GUIDELINES FOR PROCESSING APPLICATIONS

A Park Owner may submit an application on his/her behalf, or may retain a representative to submit the application on his/her behalf.

Within thirty (30) days of receipt of the application, the Rent Administrator will notify the Applicant whether the application is complete. Submittal of a complete application and payment of the filing fee in full is required in order for the Rent Administrator to deem the application complete and issue a decision on the application. All checks and money orders should be made payable to the City of Yucaipa.

Pursuant to the YMC §15.20.105(E)(1) and Administrative Rules §1.0008(C), the affected residents have the right to submit written, documentary and photographic responses to the application to the Rent Administrator and concurrently serve one copy of their responses on the applicant within 20 days following notice that the Rent Administrator declared your application to be complete.

Within thirty (30) days of submittal of your complete application, the Rent Administrator shall send a notice to you, and your affected residents, of the City's determination to either:

1. Grant the requested increase.
2. Grant a modified increase.
3. Deny the requested increase.

The decision of the Rent Administrator may be appealed to the Yucaipa Rent Review Commission, pursuant to YMC §15.20.085(E).

Appeal Applications to the Commission for Capital Improvements and Emergency Capital Improvements are processed, heard and determined by the Mobilehome Rent Review Commission pursuant to YMC §§15.20.105 and 15.20.110, and Chapter 1 of the Administrative Rules.

It is the Applicant's responsibility to review pertinent sections in YMC Chapter 15.20 and the Administrative Rules, applicable to this type of application.

INQUIRIES

Questions should be directed to the Mobilehome Rent Administrator at 909-797-2489, extension 236.

PROOF OF SERVICE

I / (We), _____ declare as follows:

I (we) am (are) the [CHECK APPLICABLE BOX] Park Owner(s) (Authorized Representative(s)) of the owner(s) of the Mobilehome Park listed below.

Name of Mobilehome Park: _____

1. [Complete if Park Owner Representative(s)] I (We) am (are) authorized to submit this application for a [CHECK APPLICABLE BOX] Capital Improvement Rent Adjustment Emergency Capital Improvement Rent Adjustment under YMC §15.20.085 to the City of Yucaipa on behalf of Park Owner [insert complete name of park owner]

2. On _____, a complete copy of the application (including all supporting documentation) and the Notice of Filing of Rent Adjustment Application was served on the Park Resident Representative, by [CHECK APPLICABLE BOX] personal delivery or first class mail, addressed as follows [insert name and mailing or delivery address]

3. On _____, I posted a complete copy of the application (including all supporting documentation) and the Notice of Filing of Rent Adjustment Application at the following three locations in the Park:

Park Office: _____

Park Clubhouse: _____

Location open to residents during business hours: _____

I will maintain a complete copy of the application (including all supporting documentation) in those three locations until the City issues its final decision on the application.

4. If I submit any additional documentation to the City in support of this application, I will also post that additional documentation in the three locations identified in Paragraph (3) until the City issues its final decision on the application, and I will provide a supplemental declaration to the City confirming the additional posting.

I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

Executed this _____ day of _____, 20 _____ at _____ California.

Signed: _____

Print Name: _____

Title/Capacity: _____

Mailing Address: _____

Phone: _____

[Notice to Applicant: If the person serving the application is different from the person posting the application, then each person must complete and sign a Proof of Service.]

**DECLARATION OF PARK OWNER/PARK OWNER REPRESENTATIVE
UNDER PENALTY OF PERJURY**

I declare under penalty of perjury under the laws of the State of California that all of the information, documentation, and statements contained in this application for a [CHECK APPLICABLE BOX] Capital Improvement Rent Adjustment Emergency Capital Improvement Rent Adjustment are true and correct.

Executed this _____ day of _____, 20 _____
at _____ California.

Signed: _____
Print Name: _____
Title/Capacity: _____
Mailing Address: _____
Phone: _____

APPLICATION INSTRUCTIONS

Each section must be typed or printed in black ink. Answer each question completely, and attach all documentation that supports each of your responses. **ALL ATTACHMENTS AND DOCUMENTATION MUST BE SEQUENTIALLY NUMBERED WITH BATES NUMBERS OR OTHER SIMILAR NUMBERING SYSTEM BEFORE COPIES ARE MADE, AND ALL ATTACHMENTS MUST BE LABELED TO CORRESPOND TO THE RELATED SECTION OF THE APPLICATION FORM PRIOR TO SUBMISSION.**

I. GENERAL INFORMATION ABOUT THE PARK

Year Park originally opened: _____
Year Park purchased by current owner: _____
Total number of spaces in the Park: _____
Total number of month-to-month (rent controlled) spaces: _____
Total number of long-term lease spaces: _____
Total number of vacant spaces: _____
Total number of park owned spaces: _____
Total number of spaces subject to the proposed increase: _____

If not all spaces in the park are subject to the proposed increase, please list the space numbers for all of the spaces affected by the proposed capital rent adjustment (or emergency capital improvement rent adjustment):

II. APPLICANT

Mobilehome Park Name: _____
Address: _____

City _____ State _____ Zip Code _____
Phone Number: _____ Parcel Numbers: _____

Complete Name(s) of Park Owner(s): _____
Park Owner's Mailing Address: (PO Box is not acceptable) _____

City _____ State _____ Zip Code _____
Phone Number: _____ Email Address: _____

Park Owner Representative: (Enter Name or "Same as Above") _____
Mailing Address: (PO Box is not acceptable) _____

City _____ State _____ Zip Code _____
Phone Number: _____ Email Address: _____

III. TYPE OF APPLICATION

Basis of application [CHECK APPLICABLE BOX]:

- “Capital Improvement” means the installation of new improvements and facilities and/or the replacement or reconstruction of existing improvements and facilities which consist of more than ordinary maintenance or repairs, have a useful life of at least five (5) years and have been consented to by fifty-one percent (51%) of the spaces in the mobilehome park or are necessary for the health and safety of the park, its residents or its neighbors. Applications for capital improvements are governed by YMC §§15.20.085(A) and 15.20.105, and the Administrative Rules, Chapter 5. (Complete Sections I, II, III, IV, V, VI, XII and provide completed Proof of Service, Declaration Under Penalty of Perjury, Certification of Capital Improvements (Street or Flatwork Improvements), Attachments 1, 2, and 3, and all supporting documentation.)

(OR)

- “Emergency Capital Improvement” means capital improvements: (1) that are necessary in order to prevent an imminent threat to public health and safety of the park, its residents and/or its neighbors; (2) that must be carried out immediately; and (3) satisfy the requirements of YMC §15.20.085(B) and the Administrative Rules, Chapter 5. (Complete Sections I, II, III, VII, VIII, IX, X, XI, XII and provide completed Proof of Service, Declaration Under Penalty of Perjury, Certification of Capital Improvements (Street or Flatwork Improvements), Attachments 1, 2, and 3, and all supporting documentation.)

IV. APPLICATION BASED ON CAPITAL IMPROVEMENT

A. Provide a detailed written description of the capital improvement. Attach additional sheets as necessary and provide all supporting documentation labeled as “Section IV-A” (sequentially numbered with bates numbers or other similar numbering system).

B. Did the Park Owner perform any maintenance which consists of more than ordinary maintenance or repairs to minimize or avoid the need for replacement or reconstruction of this Capital Improvement?

Yes No

If “Yes”, provide a detailed explanation of maintenance or repairs (year, description). Attach additional sheets as necessary and provide all supporting documentation labeled as “Section IV-B” (sequentially numbered with bates numbers or other similar numbering system).

C. Provide a detailed explanation and itemized summary of the calculation of the capital improvement and applicable financing.

IV. APPLICATION BASED ON CAPITAL IMPROVEMENT (CONTINUED)

| Item | Expense |
|-------|----------|
| _____ | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |

Finance term (if applicable): _____ Year(s), _____ Month(s)

Estimated cost of financing: \$ _____

Total overall cost of the capital improvement: \$ _____

Attach additional sheets as necessary and provide all supporting documentation such as: loan agreements, financing arrangements, contractor invoices and payments, equipment rental fees, etc. and label as "Section IV-C" (sequentially numbered with bates numbers or other similar numbering system).

D. Amortization Period [CHECK APPLICABLE BOX]:

Amortization Period (per Admin Rules §5.0004): _____ Years

Other Amortization Period: _____ Years

(If you use this alternative, you must attach all expert documentation supporting the alternative amortization period, and label as "Section IV-D" (sequentially numbered with bates numbers or other similar numbering system).)

E. If the Park Owner used his/her own funds to pay for the capital improvement please explain how the financing cost was determined, including but not limited to the interest rate used, term and any other factors. Attach all supporting documentation, and label as "Section IV-E" (sequentially numbered with bates numbers or other similar numbering system).

F. Amount of rent increase requested by Park Owner (per month/per space): \$ _____

G. Term of rent increase proposed by Park Owner (based on amortization period): _____ Years

Indicate whether any costs of the stated capital improvement have already been passed on to any Park Residents in the form of a rent increase or separate fee:

Yes No

If "Yes", provide a detailed explanation of circumstances (dates, amounts charged, and reasons why the costs associated with the capital improvement have been already passed on to the residents, etc.). Attach additional sheets as necessary and provide all supporting documentation labeled as "Section IV-G" (sequentially numbered with bates numbers or other similar numbering system).

V. CAPITAL IMPROVEMENT - CERTIFICATION OF CAPITAL IMPROVEMENTS (STREET OR FLATWORK IMPROVEMENTS)

If a park owner intends to apply for a capital improvement rent adjustment for expenses incurred in carrying out street improvements or flatwork improvements (e.g., sidewalks, driveways, patios), the application shall include a certification signed by a licensed civil engineer (Administrative Rules §5.0010). This certification is required for both owner-performed capital improvements and for capital improvements installed, constructed or provided by a third party.

- A. The certification must verify, under penalty of perjury under the laws of the State of California, that the Capital Improvement complies with all of the following requirements:
1. The work was carried out under the supervision of a licensed civil engineer to make sure that the Capital Improvement was properly constructed in accordance with the proposal, contract or bid.
 2. The improvement meets the standards required by the City of Yucaipa AC Pavement Specifications, Standard Drawings 116-0 (Attachment 3), or other engineering standards to ensure adequacy of access and parking throughout the area of the improvement in accordance with the requirements of Title 25 of the California Code of Regulations.
 3. The improvement complies with all grading and drainage requirements of Title 25 including but not limited to the urban storm water runoff management requirements of the applicable MS-4 permit issued by the California State Regional Water Quality Control Board.
 4. To the extent that the area of improvement qualifies as a place of public accommodation under the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.) (ADA), the improvement complies with all applicable accessibility requirements of the ADA, including but expressly not limited to parking.
 5. The improvement will maintain the existing circulation and access for fire, life safety, service vehicles and trash trucks.
 6. The improvement was inspected and tested upon completion to ensure compliance with the required standards as indicated in Item 3 above.
- B. Attach the certification signed by a licensed or registered civil engineer and all other supporting documentation and label the documents as “Section V-B” (sequentially numbered with bates numbers or other similar numbering system). See sample Form on page 9.

The application for a capital improvement rent adjustment shall not be deemed complete by the Rent Administrator under YMC §§15.20.085(A)(2) and 15.20.105 unless the application contains the completed and signed certification. In the event that the applicant fails or refuses to submit the completed and signed certification, the application shall be processed in accordance with YMC §§15.20.085(A)(2) and 15.20.105, and the Rent Administrator or Commission may consider the failure or refusal to submit the certification in determining whether the applicant (or appellant) met his or her burden of proof that he or she is entitled to a capital improvement rent adjustment.

FORM OF CERTIFICATION BY REGISTERED OR LICENSED CIVIL ENGINEER

I, _____, declare as follows:

1. I am a _____
Specify licensed or registered civil engineer

2. My license number is _____

3. My license number effective date/expiration dates are: Effective Date: _____ Expiration Date: _____

4. A copy of my resume or CV [CHECK APPLICABLE BOX] is is not attached to this Certification.

5. My expertise and experience in this area is as follows:

6. I have personal knowledge of the capital improvement described as [INSERT DESCRIPTION]: _____ that is the subject of this application for a Capital Improvement Rent Adjustment to the City of Yucaipa.

7. For capital improvements performed by third party:
I am familiar with the [CHECK APPLICABLE BOX] proposal contract bid selected by the applicant for performance of the capital improvement. All of the work for the capital improvement was carried out under my supervision and all of the work for the capital improvement was constructed in accordance with that proposal contract bid.

For owner-performed capital improvements:
All of the work for the emergency capital improvement was carried out under my supervision and all of the work for the emergency capital improvements was carried out in accordance with the [CHECK APPLICABLE BOX] plans other: _____ prepared by the applicant to carry out the capital improvement.

8. The capital improvement meets the following standards to ensure adequacy of access and parking throughout the area of the improvement in accordance with Title 25 of the California Code of Regulations [CHECK APPLICABLE BOX]:

Standards required by the City of Yucaipa AC Pavement Specifications, Standard Drawings 116-0 (Attachment 3); or

The following engineering standards [Provide explanation and supporting documentation]:

FORM OF CERTIFICATION BY REGISTERED OR LICENSED CIVIL ENGINEER

9. The capital improvement complies with all grading and drainage requirements of Title 25, including but not limited to the urban storm water runoff management requirements of the applicable MS-4 permit issued by the California State Regional Water Control Board, for the following reasons [Provide explanation and supporting documentation]:

10. To the extent that the capital improvement qualifies as a place of public accommodation under the Americans With Disabilities Act (42 U.S.C. § 12101 et seq.), the improvement complies with all applicable accessibility requirements of the ADA, including but expressly not limited to, parking. [Provide explanation and supporting documentation]:

11. The improvement will maintain the existing circulation and access for fire, life safety, service vehicles and trash trucks, for the following reasons [Provide explanation and supporting documentation]:

12. The improvement was inspected and tested upon completion to ensure compliance with the required standards as set forth in Paragraph 8, above, as follows [Provide explanation and supporting documentation]:

For each paragraph #1 through #12 of this Certification, attach additional sheets as needed and supporting documentation, labeled "Section VIII-B" (sequentially numbered with bates numbers or other similar numbering system).

I declare under penalty of perjury under the laws of the State of California that the information, documentation and statements contained in this Certification are true and correct.

Executed this _____ day of _____, 20 _____

at _____ California.

Signed: _____

Print Name: _____

Title/Capacity: _____

Mailing Address: _____

VI. CAPITAL IMPROVEMENT – RESIDENT MEETING

Prior to completion of the proposed capital improvement and prior to filing the application, the Park Owner is required to meet with the Park Residents to consider Park Residents’ input regarding any proposed capital improvement.

A. Prior to completion of the proposed capital improvement and prior to filing this application, did the Applicant (Park Owner/Park Owner Representatives) hold a meeting with the Park Residents or Park Resident Representatives?

Yes Date of Meeting: _____ No

Attach all documentation regarding the meeting(s) including, but not limited to, the following:

1. Notice of meeting(s);
2. Resident attendance sign-in sheet(s);
3. Summary of each of the bids or proposals received and a written explanation from the park owner explaining the reasons for the selection of the particular bid, proposal and contractor (or, if capital improvement to be carried out by owner-performed labor, provide explanation for use of the proposed owner-performed labor and all proposed work and costs);
4. Election ballot form(s);
5. All other materials handed out at meeting; and
6. Official minutes from the meeting(s).

Label all documents as “Section VI-A” (sequentially numbered with bates numbers or other similar numbering system).

B. Did Applicant (Park Owner/Park Owner Representatives) conduct a Capital Improvement Ballot Election in an attempt to gain fifty-one percent (51%) approval of the occupied rent controlled spaces, with one vote per space having consented to the proposed capital improvement by one of the following methods:

1. At a noticed resident meeting: Yes No
2. Election ballot mailed via certified mail/return receipt requested to each rent controlled space: Yes No

Attach copies of the completed Ballot Election Forms, as well as documentation proving either one of the Ballot Election methods mentioned above and label documents as “Section VI-B” (sequentially numbered with bates numbers or other similar numbering system).

C. Did fifty-one percent (51%) of the occupied rent controlled spaces approve the proposed capital improvement? Yes No

D. Does the Applicant (Park Owner/Park Owner Representatives) contend that the capital improvement was necessary for the health and safety of the park, its residents and/or its neighbors? Yes No

E. If the answer to Section VI–D is “Yes”, provide a detailed explanation why you contend the capital improvement(s) was/were necessary for the health and safety of the park, its residents and/or its neighbors. Attach additional sheets as necessary and provide all supporting documentation labeled as “Section VI-E” (sequentially numbered with bates numbers or other similar numbering system).

VII. APPLICATION BASED ON EMERGENCY CAPITAL IMPROVEMENT

If your application is based on an emergency capital improvement, the Park Owner shall bear the burden of proof by competent evidence that the immediate performance of the work was necessary because of an imminent threat to the health and safety of the park, its residents, or neighbors.

A. Date of emergency event: _____

“Emergency Event” means the date that the incident or event occurred that caused the damage, destruction or failure requiring the need for the emergency capital improvement that is the subject of this application under YMC §15.20.085(B) and Administrative Rules §5.0007(B).

B. Did the Park Owner perform any maintenance which consists of more than ordinary maintenance or repairs to minimize or avoid the need for replacement or reconstruction of this Capital Improvement?

Yes No

If “Yes”, provide a detailed explanation of maintenance or repairs (year, description). Attach additional sheets as necessary and provide all supporting documentation labeled as “Section VII-B” (sequentially numbered with bates numbers or other similar numbering system).

C. Type of emergency event: Check the applicable box(es) below, and explain in detail the reasons why the Applicant (Park Owner/Park Owner Representatives) contends that the event or incident constitutes an emergency under YMC §15.20.085(B) and the Administrative Rules, Section 5.0007(B). Attach all supporting documentation and label as “Section VII-C” (sequentially numbered with bates numbers or other similar numbering system):

Weather Condition (earthquake, fire, storm, other weather condition or natural element) (Specify):

Sudden and unexpected damage to, destruction of or failure of park’s sewer, water or other utility system (Specify):

D. Explain (in detail) all steps the Park Owner took to prevent any damage to the park, or any part or portion thereof, from the emergency event listed in Section VII-C. Attach additional sheets as necessary and all supporting documentation and label as “Section VII-D” (sequentially numbered with bates numbers or other similar numbering system):

E. Provide a detailed written explanation of the damage or destruction to the Park caused by the emergency event, including but expressly not limited to, the specific buildings, structures, or improvements damaged and/or destroyed. Attach additional sheets as necessary and all supporting documentation and label as “Section VII-E” (sequentially numbered with bates numbers or other similar numbering system).

VII. APPLICATION BASED ON EMERGENCY CAPITAL IMPROVEMENT (CONTINUED)

F. Provide a detailed written explanation of the emergency capital improvement needed to replace or repair the damage or destruction caused by the emergency event, including but expressly not limited to, the specific repairs or other work necessary to repair or replace the damage or destruction; the extent and/or complexity of the work; the cost of repairs, replacement, and/or construction; and any and all other information and documentation supporting and relevant to the repairs and replacement of the emergency capital improvement (including but expressly not limited to estimates, pre- and post-damage photographs, construction drawings, expert reports, plans, contracts, invoices, cancelled checks, permits and approvals). Attach additional sheets as necessary and all supporting documentation and label as "Section VII-F" (sequentially numbered with bates numbers or other similar numbering system).

G. If any notices were provided to the Park residents and/or Park Resident Representatives and/or the City regarding the emergency event, damage, destruction, repairs, replacements and/or emergency capital improvement, attach copies of all such notices and label as "Section VII-G" (sequentially numbered with bates numbers or other similar numbering system).

H. Explain (in detail) why Applicant (Park Owner/Park Owner Representatives) contends the work constitutes an emergency capital improvement. Attach additional sheets as necessary and all supporting documentation and label as "Section VII-H" (sequentially numbered with bates numbers or other similar numbering system).

I. Check the applicable box(es) to explain the status of the emergency capital improvement:
 Not Started In Progress Completed (Completion Date: _____)

Explain (in detail) the progress status of the emergency capital improvement. Attach additional sheets as necessary and all supporting documentation and label as "Section VII-I" (sequentially numbered with bates numbers or other similar numbering system).

VII. APPLICATION BASED ON EMERGENCY CAPITAL IMPROVEMENT (CONTINUED)

J. Did the Park Owner commence construction of the emergency capital improvement within two (2) weeks (fourteen (14) days) of the emergency event?

Yes If your answer is "Yes", provide evidence verifying that construction commenced within 14 days and label as "Section VII-J" (sequentially numbered with bates numbers or other similar numbering system).

No If your answer is "No", please check the applicable progress made to-date and provide documentation establishing that the following progress has been met and label as "Section VII-J" (sequentially numbered with bates numbers or other similar numbering system):

- The Park Owner obtained signed contracts for construction; and
- The Park Owner obtained (or applied for and made reasonable efforts to obtain) all necessary permits; and
- The Park Owner established a firm date for the commencement of construction; and
- Construction actually commenced in accordance with time schedule; and
- Construction proceeded in an expeditious manner and was completed prior to submittal of the application.

K. Has the Park Owner applied for and received permits or approvals from the City of Yucaipa Building and Safety Department and any other governmental agency?

Yes If your answer is "Yes", provide permit date(s): _____
Attach copies of the permit(s) and label all documentation "Section VII-K" (sequentially numbered with bates numbers or other similar numbering system).

No If your answer is "No", provide the reason(s) for any delay in seeking governmental permits or approvals, commencing, or finishing the work. Attach additional sheets as necessary and provide all supporting documentation labeled as "Section VII-K" (sequentially numbered with bates numbers or other similar numbering system).

L. Has the damage, destruction, or failure been resolved?

Yes If your answer is "Yes", provide an improvement completion date: _____

No If your answer is "No", provide an estimated improvement completion date: _____

Attach additional sheets as necessary and provide all supporting documentation labeled as "Section VII-L" (sequentially numbered with bates numbers or other similar numbering system).

VII. APPLICATION BASED ON EMERGENCY CAPITAL IMPROVEMENT (CONTINUED)

M. Prior to the emergency damage and/or destruction, have the Park’s utility system and infrastructure been properly and adequately maintained by the Park Owner and have they met all applicable health and safety code requirements?

Yes

No If your answer is “No”, provide a written explanation as to why the utility system and infrastructure have not been properly and adequately maintained. Attach additional sheets as necessary and provide all supporting documentation labeled as “Section VII-M” (sequentially numbered with bates numbers or other similar numbering system).

N. Did the Park Owner give any advance warning of the emergency event before it occurred?

Yes Date and Time of Warning: _____

No Explain the circumstances demonstrating why the Park Owner had no warning of the emergency event:

O. Did the Park Owner have reasonable opportunity to protect the Park, or any part of the Park, from the emergency event?

Yes No

Provide a detailed written explanation and attach all supporting documentation and label as “Section VII-O” (sequentially numbered with bates numbers or other similar numbering system).

P. Was the emergency event of such severity that the Park Owner could not protect the property irrespective of any advance warning of the emergency event?

Yes No

Provide a detailed written explanation and attach all supporting documentation and label as “Section VII-P” (sequentially numbered with bates numbers or other similar numbering system).

VII. APPLICATION BASED ON EMERGENCY CAPITAL IMPROVEMENT (CONTINUED)

Q. Explain all steps the Park Owner took to prevent or reduce any damage, destruction or failure to or within the park, or any part or portion thereof, from the emergency event. Provide a detailed written explanation and attach all supporting documentation and label as "Section VII-Q" (sequentially numbered with bates numbers or other similar numbering system).

R. Were all necessary governmental permits and approvals obtained by the Park Owner prior to performance of the emergency capital improvement?

Yes If your answer is "Yes", attach copies of all permits, approvals and all other supporting documentation and label as "Section VII-R" (sequentially numbered with bates numbers or other similar numbering system).

No If your answer is "No", provide a detailed written explanation and attach all supporting documentation and label as "Section VII-R" (sequentially numbered with bates numbers or other similar numbering system).

S. Were all necessary governmental approvals and sign-offs obtained by the Park Owner upon completion of the emergency capital improvement?

Yes If your answer is "Yes", attach copies of all governmental approvals, sign-offs and other supporting documentation and label as "Section VII-S" (sequentially numbered with bates numbers or other similar numbering system).

No If your answer is "No", provide a detailed written explanation and attach all supporting documentation and label as "Section VII-S" (sequentially numbered with bates numbers or other similar numbering system).

T. Did the Park Owner file an insurance claim for any of the damages, destruction or failure in the park that resulted in the need for the emergency capital improvement that is the subject of this application?

Yes If "Yes", state the name of insurance company: _____
Claim No.: _____
Date insurance claim filed: _____

No If "No", explain all reasons why the Park Owner did not file an insurance claim.

Attach all additional sheets as necessary and all supporting documentation and label as "Section VII-T" (sequentially numbered with bates numbers or other similar numbering system).

U. Is the decision on insurance claim still pending?

Yes No

Attach all supporting documentation and label as "Section VII-U" (sequentially numbered with bates numbers or other similar numbering system).

VII. APPLICATION BASED ON EMERGENCY CAPITAL IMPROVEMENT (CONTINUED)

V. If the Park Owner filed an insurance claim, state whether the Park Owner received any insurance payment(s) in response to his/her insurance claim.

Yes If "Yes", state the total amount of insurance payment(s) received: \$ _____

List all damages, destruction and/or failure covered by the insurance payment(s) (itemize):

Date of insurance payment: _____

Attach a copy of the insurance check(s) or other payment(s) and all other supporting documentation, and label as "Section VII-V" (sequentially numbered with bates numbers or other similar numbering system).

No If "No", state the date of denial of coverage: _____

Attach a copy of the denial letter or other communication from insurance company, and all other supporting documentation, and label as "Section VII-V" (sequentially numbered with bates numbers or other similar numbering system).

W. Were the costs of any of the damages, destruction and/or failure in the park which resulted in the need for the emergency capital improvement paid by any governmental agency or entity?

Yes No

If "Yes", specify the governmental agency or entity by:

Name: _____

Address: _____

Phone Number: _____

Claim No.: _____

Amount of proceeds received by the Park Owner from the governmental agency or entity: \$ _____

Date of receipt: _____

List all damages, destruction and/or failure covered by the governmental payment(s) (itemize):

Attach copy of each check or other payment(s) and all other supporting documentation, and label as "Section VII-W" (sequentially numbered with bates numbers or other similar numbering system).

VII. APPLICATION BASED ON EMERGENCY CAPITAL IMPROVEMENT (CONTINUED)

X. Were any of the damages, destruction and/or failure in the park which resulted in the need for the emergency capital improvement paid by any other third party?

Yes No

If "Yes", specify the third party source:

Name: _____

Address: _____

Phone Number: _____

Type of person/entity: _____

Relationship to Park Owner: _____

Total amount of proceeds received by the Park Owner from the third party source: \$ _____

Amount of proceeds received by the Park Owner from the governmental agency/entity: \$ _____

Date of receipt: _____

List all emergency capital improvements and other costs covered by the third party payment (itemize by type and cost):

Attach copy of check or other payment(s) and all other supporting documentation, and label as "Section VII-X" (sequentially numbered with bates numbers or other similar numbering system).

VIII. EMERGENCY CAPITAL IMPROVEMENT - CERTIFICATION OF CAPITAL IMPROVEMENTS (STREET OR FLATWORK IMPROVEMENTS)

If a park owner intends to apply for an emergency capital improvement rent adjustment for expenses incurred in carrying out street improvements or flatwork improvements (e.g., sidewalks, driveways, patios), the application shall include a certification signed by a licensed civil engineer (Administrative Rules §5.0010). This certification is required for owner-performed emergency capital improvements and for emergency capital improvements installed, constructed or provided by a third party.

- A. The certification must verify, under penalty of perjury under the laws of the State of California, that the Capital Improvement complies with all of the following requirements:
1. The work was carried out under the supervision of a licensed civil engineer to make sure that the Capital Improvement was properly constructed in accordance with the proposal, contract or bid.
 2. The improvement meets the standards required by the City of Yucaipa AC Pavement Specifications, Standard Drawings 116-0 (Attachment 3), or other engineering standards to ensure adequacy of access and parking throughout the area of the improvement in accordance with the requirements of Title 25 of the California Code of Regulations.
 3. The improvement complies with all grading and drainage requirements of Title 25 including but not limited to the urban storm water runoff management requirements of the applicable MS-4 permit issued by the California State Regional Water Quality Control Board.
 4. To the extent that the area of improvement qualifies as a place of public accommodation under the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.) (ADA), the improvement complies with all applicable accessibility requirements of the ADA, including but expressly not limited to parking.
 5. The improvement will maintain the existing circulation and access for fire, life safety, service vehicles and trash trucks.
 6. The improvement was inspected and tested upon completion to ensure compliance with the required standards as indicated in Item 3 above.
- B. Attach the certification signed by a licensed or registered civil engineer and all other supporting documentation and label the documents as “Section V-B” (sequentially numbered with bates numbers or other similar numbering system). See sample Form on page 20.

The application for a capital improvement rent adjustment shall not be deemed complete by the Rent Administrator under YMC §§15.20.085(A)(2) and 15.20.105 unless the application contains the completed and signed certification. In the event that the applicant fails or refuses to submit the completed and signed certification, the application shall be processed in accordance with YMC §§15.20.085(A)(2) and 15.20.105, and the Rent Administrator or Commission may consider the failure or refusal to submit the certification in determining whether the applicant (or appellant) met his or her burden of proof that he or she is entitled to a capital improvement rent adjustment.

FORM OF CERTIFICATION BY REGISTERED OR LICENSED CIVIL ENGINEER

I, _____, declare as follows:

1. I am a _____
Specify licensed or registered civil engineer

2. My license number is _____

3. My license number effective date/expiration dates are: Effective Date: _____ Expiration Date: _____

4. A copy of my resume or CV [CHECK APPLICABLE BOX] is is not attached to this Certification.

5. My expertise and experience in this area is as follows:

6. I have personal knowledge of the capital improvement described as [INSERT DESCRIPTION]: _____ that is the subject of this application for an Emergency Capital Improvement Rent Adjustment to the City of Yucaipa.

7. For emergency capital improvements performed by third party:
I am familiar with the [CHECK APPLICABLE BOX] proposal contract bid selected by the applicant for performance of the capital improvement. All of the work for the emergency capital improvement was carried out under my supervision and all of the work for the emergency capital improvement was constructed in accordance with that proposal contract bid.
For owner-performed emergency capital improvements:
All of the work for the emergency capital improvement was carried out under my supervision and all of the work for the emergency capital improvements was carried out in accordance with the [CHECK APPLICABLE BOX] plans other: _____ prepared by the applicant to carry out the emergency capital improvement.

8. The emergency capital improvement meets the following standards to ensure adequacy of access and parking throughout the area of the improvement in accordance with Title 25 of the California Code of Regulations [CHECK APPLICABLE BOX]:

Standards required by the City of Yucaipa AC Pavement Specifications, Standard Drawings 116-0 (Attachment 3); or

The following engineering standards [Provide explanation and supporting documentation]:

FORM OF CERTIFICATION BY REGISTERED OR LICENSED CIVIL ENGINEER

9. The emergency capital improvement complies with all grading and drainage requirements of Title 25, including but not limited to the urban storm water runoff management requirements of the applicable MS-4 permit issued by the California State Regional Water Control Board, for the following reasons [Provide explanation and supporting documentation]:

10. To the extent that the emergency capital improvement qualifies as a place of public accommodation under the Americans With Disabilities Act (42 U.S.C. § 12101 et seq.), the improvement complies with all applicable accessibility requirements of the ADA, including but expressly not limited to, parking. [Provide explanation and supporting documentation]:

11. The improvement will maintain the existing circulation and access for fire, life safety, service vehicles and trash trucks, for the following reasons [Provide explanation and supporting documentation]:

12. The improvement was inspected and tested upon completion to ensure compliance with the required standards as set forth in Paragraph 8, above, as follows [Provide explanation and supporting documentation]:

For each paragraph #1 through #12 of this Certification, attach additional sheets as needed and supporting documentation, labeled "Section VIII-B" (sequentially numbered with bates numbers or other similar numbering system).

I declare under penalty of perjury under the laws of the State of California that the information, documentation and statements contained in this Certification are true and correct.

Executed this _____ day of _____, 20_____ at _____ California.

Signed: _____

Print Name: _____

Title/Capacity: _____

Mailing Address: _____

IX. EMERGENCY CAPITAL IMPROVEMENT - RESIDENT MEETING

Please mark the applicable option:

- Prior to submittal of this application and prior to completion of the emergency capital improvements the Park Owner held a meeting with the park residents or Park Resident Representative(s) and conducted a Capital Improvement Ballot Election in accordance with YMC §15.20.085(A)(1).

(OR)

- It was necessary for the Park Owner to immediately perform the work in order to prevent an imminent threat to the health and safety of the park, its residents or neighbors, without first holding a resident meeting and Capital Improvement Election pursuant to the timing requirements set forth in YMC §15.20.085(A)(1). **[IF NO RESIDENT MEETING OR CAPITAL IMPROVEMENT BALLOT ELECTION WAS HELD, SKIP TO PART X. EMERGENCY CAPITAL IMPROVEMENT –EXPLANATION OF COSTS.]**

A. If a meeting was held, please provide the following information:

Date of Meeting: _____

Location of Meeting: _____

Attach all documentation regarding the meeting(s) including, but not limited to, the following:

- 1. Notice of meeting(s);
- 2. Resident attendance sign-in sheet(s);
- 3. Summary of each of the bids or proposals received and a written explanation from the park owner explaining the reasons for the selection of the particular bid, proposal and contractor (or, if emergency capital improvement to be carried out by owner-performed labor, provide explanation for use of the proposed owner-performed labor and all proposed work and costs);
- 4. Election ballot form(s);
- 5. All other materials handed out at meeting; and
- 6. Official minutes from the meeting(s)(sequentially numbered with bates numbers or other similar numbering system).

Label all documents as “Section IX-A” (sequentially numbered with bates numbers or other similar numbering system).

B. Did Applicant (Park Owner/Park Owner Representatives) conduct a Capital Improvement Ballot Election in an attempt to gain fifty-one percent (51%) approval of the occupied rent controlled spaces, with one (1) vote per space having consented to the proposed emergency capital improvement by one of the following methods:

- 1. At a noticed resident meeting: Yes No
- 2. Election Ballot mailed via certified mail/return receipt requested to each rent controlled space: Yes No

Attach copies of the completed Ballot Election Forms, as well as documentation proving either one of the Ballot Election methods mentioned above and label documents as “Section IX-B” (sequentially numbered with bates numbers or other similar numbering system).

C. Did fifty-one percent (51%) of the occupied rent controlled spaces approve the proposed emergency capital improvement? Yes No

X. EMERGENCY CAPITAL IMPROVEMENT –EXPLANATION OF COSTS

A. Provide a detailed written description of the emergency capital improvement. Attach additional sheets as necessary and provide all supporting documentation labeled as “Section X-A” (sequentially numbered with bates numbers or other similar numbering system).

B. Provide a detailed explanation and itemized summary of the calculation of the emergency capital improvement and applicable financing:

| Item | Expense |
|-------|----------|
| _____ | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |

Finance term (if applicable): _____ Year(s) _____ Month(s)

Estimated cost of financing: \$ _____

Total overall cost of the emergency capital improvement: \$ _____

Attach additional sheets as necessary and provide all supporting documentation such as: loan agreements, financing arrangements, contractor invoices and payments, equipment rental fees, etc. and label as “Section X-B” (sequentially numbered with bates numbers or other similar numbering system).

C. Amortization Period (CHECK APPLICABLE BOX):

- Amortization Period (per Admin Rules §5.0004): _____ Years
- Other Amortization Period: _____ Years

(If you use this alternative, you must attach all expert documentation supporting the alternative amortization period, and label as “Section X-C” (sequentially numbered with bates numbers or other similar numbering system))

D. If the Park Owner used his/her own funds to pay for the emergency capital improvement please explain how the financing cost was determined, including but not limited to the interest rate used, term and any other factors. Attach all supporting documentation, and label as “Section X-D” (sequentially numbered with bates numbers or other similar numbering system).

Total overall cost of the Capital Improvement: \$ _____

X. EMERGENCY CAPITAL IMPROVEMENT –EXPLANATION OF COSTS (Continued)

E. Amount of rent increase requested by Park Owner (per month/per space): \$ _____

F. Term of rent increase proposed by Park Owner (based on amortization period): _____ Years

G. Indicate whether any costs of the emergency capital improvement have already been passed on to any Park Residents in the form of a rent increase or separate fee:

Yes No

If “Yes”, provide a detailed explanation of circumstances (dates, amounts charged, and reasons why the costs associated with the capital improvement have already been passed on to the residents, etc.). Attach additional sheets as necessary and provide all supporting documentation labeled as “Section X-G” (sequentially numbered with bates numbers or other similar numbering system).

XI. EMERGENCY CAPITAL IMPROVEMENT – APPLICATION DELAY

A. If the Park Owner did not submit the emergency capital improvement rent adjustment application to the City within the time deadlines required by Administrative Rules §5.0007(B)(6), provide an explanation stating the reasons and supporting evidence to justify the delay in submitting the application. Attach additional sheets as necessary and provide all supporting documentation labeled as “Section XI-A” (sequentially numbered with bates numbers or other similar numbering system).

ATTACHMENT 1 – CAPITAL IMPROVEMENT ELECTION BALLOT FORM

CAPITAL IMPROVEMENT ELECTION BALLOT FORM

Date: _____

Name of Mobilehome Park: _____

The following is a detailed description of the capital improvements being proposed, which may be submitted for application to the City of Yucaipa for the consideration of a Capital Improvement rent adjustment. The Capital Improvements (CHECK ONE) WILL WILL NOT be submitted under Health and Safety guidelines.

The following is the cost of the above-mentioned proposed Capital Improvements: \$ _____
Cost per space: \$ _____

Resident Consent: Please complete one of the following:

I hereby **GIVE** my consent to the above-described Capital Improvements in my Park.

| | |
|---|--------------------|
| _____ Resident Signature | _____ Date |
| _____ Please Print First and Last Name | _____ Space No. |

OR

I hereby **DO NOT GIVE** my consent to the above-described Capital Improvements in my Park.

| | |
|---|--------------------|
| _____ Resident Signature | _____ Date |
| _____ Please Print First and Last Name | _____ Space No. |

ATTACHMENT 2 – NOTICE OF FILING OF RENT ADJUSTMENT APPLICATION

NOTICE OF FILING OF RENT ADJUSTMENT APPLICATION

[Instructions to Park Owner: You must post one copy of this Notice at each location listed below until the City issues its final decision on the application].

TO ALL PARK RESIDENTS:

PLEASE TAKE NOTICE that on _____, 20 _____ I filed an application for a
[check one] Capital Improvement Rent Adjustment or Emergency Capital Improvement Rent Adjustment under the City of Yucaipa Mobilehome Rent Control Program (Yucaipa Municipal Code, Chapter 15.20, §§15.20.010 through 15.20.140) with the Rent Administrator of the City of Yucaipa. A complete copy of the application may be reviewed at City Hall, City of Yucaipa, located at 34272 Yucaipa Boulevard, Yucaipa, CA 92399.

I also served a complete copy of the application (including all supporting documentation) on the Park Resident Representative, _____ . A complete copy of the application is also posted in each of the following three locations in the Park:

- Office: _____
- Park Clubhouse: _____
- Location open to residents during business hours: _____

A complete copy of the application will be maintained in those three locations until the City issues its final decision on the application. Any additional documentation that I submit to the City in support of the application will also be posted in those three locations until the City issues its final decision on the application.

Questions regarding the City’s procedures for processing and hearing on the application, and the residents’ right to respond to the application, should be directed to the City of Yucaipa Rent Administrator, at (909) 797-2489 ext. 236. Questions regarding the contents of the application may be

directed to the following person(s) on behalf of the park owner: _____
at (____) _____.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this _____ day of _____, 20 _____
at _____ California.

Signed: _____
Print Name: _____
Title: _____

POSTED: _____
Date Time Location

ATTACHMENT 3 – CITY OF YUCAIPA STANDARD DRAWINGS 116-0

The City of Yucaipa has established the following requirements, specifications and construction practices which shall apply to all improvements/developments in multi-family private development common access areas, parking lots and/or private street capital improvement projects within the City of Yucaipa:

1. All projects shall comply with Title 25 of the State of California Housing And Community Development – Mobile home Parks and Installations Regulations and the International Building Code, as adopted by the State of California and the City of Yucaipa.
2. For new asphalt paving or flatwork in all parking areas and access drives, an R-value test (geotechnical testing) is recommended to determine the paving/flatwork section is required prior to the work being completed. If an R-value test is not completed, the minimum allowable asphalt paving section without R-value testing is 3” asphalt concrete on 4” of processed miscellaneous base (PMB) or 6” of concrete. Asphalt, base material and concrete shall comply with City Standard 105-1 and the Standard Specifications for Public Works Construction (Greenbook), latest edition.
3. All testing shall be in accordance with the Greenbook requirements including but not limited to density testing and other geotechnical test reports and certification documents.
4. The property owner shall demonstrate adequate circulation and access for fire, life safety, service vehicles and trash trucks prior to completing the work.
5. The property owner shall demonstrate the new improvements provide equal circulation and parking areas to the development as previously approved in the Conditional Use Permit or other entitlement document for the development.
6. The property owner shall comply with all current Americans with Disabilities Act (ADA) parking requirements.
7. A Registered Civil Engineer shall certify that all improvements have been constructed in accordance with this standard and/or approved plans.
8. The property owner shall submit a Notice of Intent and comply with the requirements of the General Construction Activity Storm Water Permit from the State water Resources Control Board if the project site is one (1) acre or greater. A Storm Water Pollution Prevention Plan (SWPPP) for the work is required to be submitted to the City Engineer for review and approval.

**MULTI-FAMILY STANDARDS FOR
COMMON ACCESS AREAS, PARKING AND PRIVATE STREETS
CITY OF YUCAIPA, CALIFORNIA
Department of Public Works/Engineering**

| | | |
|--|--|---|
| | Recommended: _____ Date: _____. Approved: _____ Date: _____. <p align="center">City Engineer</p> | STANDARD DRAWINGS <u>116-0</u> |
|--|--|---|