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March 9, 2012

Santa Barbara County Board of Supervisors
105 E. Anapamu St.
Santa Barbara, CA 93101

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COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS

Good morning -

I want to thank the Planning Department staff, Planning Commissioners, and Supervisors for their diligence in crafting and reviewing a Closure Conversion Ordinance that offers important protections to both homeowners and park owners in the event of the closing of a manufactured-home park.

The draft ordinance follows the models that our committees from Northern and Southern Santa Barbara Counties provided, which have been successful in other jurisdictions across the State, in almost all respects. It is that last bit, which seems to be the most difficult to achieve, that is still standing in the way of this being an ordinance that truly offers fairness to all parties.

The last bit that I'm speaking of is the use of "may" vs. "shall" language in several places in the document.

You have heard many manufactured-home owners argue the point that the use of "may" in these sections renders the provisions for relocation assistance essentially optional, at the discretion of the County. It allows an applicant to be relieved of the requirement to provide fair compensation to the homeowners, **without any due process of exemption (which is already provided in the draft ordinance).**

In April of this year I will have the joy of being able to burn my mortgage (well, I won't really set it on fire); my home will be paid for. It will be my property and my main investment for my old age. However, what if I were a NEW manufactured-home owner? Suppose I had just bought a brand-new home, and next month I find out my park is going to close? I can't sell the home. Under the current draft of the ordinance with the "may" language, the park owner doesn't have to offer me more than a pittance. Within a year or so I am out on the street, **but I still have thirty years of making mortgage payments on a home that's long since gone under the bulldozer.** Now imagine that I am elderly, infirm, and retired on a fixed income. I will most likely wind up becoming a burden on the County. Multiply my situation times 150 or so residents of the disappearing MH park.

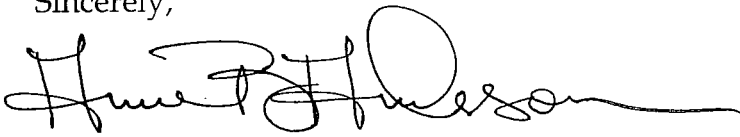
I understand that this ordinance needs to be fair to both the park owners and the homeowners, and I know that if the park owner is required to pay in-place market value, that means that both he and the homeowners might seem to be in the same

position, i.e. under threat of losing their investment in their property. But even if the park owner does NOT stand to reap generous profits from converting his land to another use, and truly believes that his property value will be lost, it is only fair that he should be required to prove it by way of an exemption process, as outlined in the ordinance. **The burden of proof needs to be on the park owner, since he CHOSE to put himself in that position by applying to close his park, whereas the homeowners HAVE NO CHOICE.** The "may" language, which allows the applicant to be excused from compensating the homeowners fairly for their lost property, **without due process**, weakens the protection that this ordinance should provide to a vulnerable population.

I therefore request that the "may, at the discretion of the County" phrase in 35.89.070.A.2.b (regarding in-place market value) be changed to "shall", and that the "may" in the Conditions of Approval introduction to section 35.89.070 also be changed to "shall"; and that the County rely on the Exemption section (35.89.090) to provide necessary discretion.

Thank you very much for your consideration! I am sorry that work responsibilities make it impossible for me to attend the hearing, but I hope that my letter will be included in the record.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne B. Anderson". The signature is fluid and cursive, with a large loop at the end.

Anne B. Anderson
333 Old Mill Rd. #161
Santa Barbara, CA 93110
Chair, Subcommittee on Closure Conversion Ordinance
SCAMPR (South County Alliance of Manufactured-home Park Residents)