

Honorable David W. Long
Judge of the Superior Court (Ret.)
CREATIVE DISPUTE RESOLUTION
3155 Old Conejo Road, Thousand Oaks, CA 91320

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**ARBITRATION PROCEEDINGS UNDER THE SANTA BARBARA COUNTY
MOBILEHOME RENT CONTROL ORDINANCE**

Arbitration before the Honorable David W. Long, Judge of the Superior Court (Ret.);

**IN RE NOMAD VILLAGE MOBILE HOME
PARK**

**CORRECTIONS TO ARBITRATOR'S
RULING AND AWARD**

The arbitrator has received the "Park Management Comment on Arbitration Award" and the Nomad Homeowners' Objection to that "Comment".

With regard to the "Objection" by the HOA to Management's "Comment," which is in essence a request that the arbitrator correct certain mathematical and typographical errors in the Award, the arbitrator believes he has and retains inherent jurisdiction to correct such errors where they exist. Although the "Rules for Hearings" do not specifically cover such, similarly, they do not prevent such. It seems to me that before the arbitrator's Ruling and whatever Award is made becomes final for Review, if sought, in front of the Board of Supervisors and/or subsequent court review, the Ruling and Award should be as accurate as possible. Such is in the interest of justice, of economy, rationality and the intent of the Ordinance.

Moreover, why the HOA would object to the "Comments" by Management is even more mystifying as the corrections sought by Management for the most part **all inure to the benefit of the HOA!**

Be that as it may, the Objection is OVERRULED.

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CORRECTIONS

The arbitrator makes the following mathematical and/or corrections in his **Ruling** as follows:

1. Page 7, line 14, delete **1.8%** and replace with **1.725%**. (The balance of the *Automatic CPI Increase* section remains unchanged. This change was agreed to by both parties and lowered at the Meet and Confer which the HOA erroneously claimed was not held.)
2. Page 15, line 6, delete **\$91,155.00** and replace with **\$97,155.00**. (The former number was a typographical error by the arbitrator.)
3. Page 15, lines 7-8 are to be deleted and replaced with: ***Expert fees are awarded in the amount of \$25,745.28, including costs.*** (The arbitrator erroneously added costs, which had already been included in this corrected number.)
4. With the corrections made to Paragraph 9 on page 15 of the award, above, only the portion of attorney's fees and costs that were a part of Management's estimates and which were included in the Notice of Monthly Rent Increase served on March 31, 2014 can be made retroactive to the date of that notice. Accordingly, that portion, \$12.14, awarded here, is retroactive to July 1, 2016 (90 days post-service of the Notice.
5. The balance of the attorney fees and costs awarded herein (\$17,799.83) may be imposed and collected at the same amortization rate of 9% over 7 years (\$1.26 per month per space) beginning at least 90 days after Management properly gives notice of such increase, per The Ordinance Section 11A-8 and California Civil Code Section 798.30.

REMARKS


With the exception of the above corrections, the arbitrator's Ruling remains otherwise unchanged. The Clerk of the Ordinance may now mail to the parties that award with these corrections.

Although courtesy copies of the Arbitrator's Ruling were mailed to the parties by the arbitrator, the Ordinance requires that the time for any Petition for Review be filed no later than the 15th judicial day after the Clerk of the Ordinance has mailed the arbitrator's decision to the parties pursuant to Rule 23 (b) of the Ordinance.

Any Judicial Review of this decision shall be filed no later than the 90th day following the date on which the decision becomes final pursuant to California Code of Civil Procedure Section 1094.6(b).

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1 DATED: July 10, 2017

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3 (Hon.) David W. Long, Judge of the
4 Superior Court (Ret.),
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PROOF OF SERVICE

IN RE NOMAD VILLAGE MOBILE HOME PARK

I, the undersigned hereby declare, as follows:

I am employed in the County of Ventura, State of California. I am over the age of 18 and am not a party to the within action; my business address is 3155 Old Conejo Road, Thousand Oaks, CA 91320.

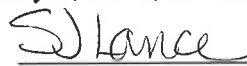
On July 7, 2017, I served the foregoing document described as: **CORRECTIONS TO ARBITRATOR'S RULING AND AWARD** on the interested parties in this action as follows:

Don Grady County of Santa Barbara Real Property Division Courthouse East Wing, Second Floor Santa Barbara, CA 93101	County of Santa Barbara Phone: (805) 568-3065 dgrady@countyofsb.org

☒ **Via Electronic Mail.** I served the above-entitled document(s) on all parties as attachments via e-mail pursuant to Rule 2008 of the California Rules of Court. The email addresses of the receiving parties as set forth above or listed on the attached service list.

☒ **Via U.S. Mail.** I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at Thousand Oaks, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on July 7, 2017, at Thousand Oaks, California.


SJ Lance, Declarant