

Homeowners' Representative  
Lindse Davis  
4326 Calle Real Space 133  
Santa Barbara CA 93110  
805.967.6857  
LindseD@aol.com  
June 26, 2017

**NOMAD VILLAGE HOMEOWNERS'  
OBJECTION TO PARK MANAGERMENTS'  
COMMENT ON ARBITRATION AWARD  
FOR ARBITRATION BEFORE  
THE HON. JUDGE DAVID W. LONG (RET.)  
IN RE NOMAD VILLAGE MOBILEHOME PARK**

Homeowners submit this objection to park management's comment dated June 23, 2017. The Rules for Hearing and the Santa Barbara County Mobilehome Rent Control Ordinance, as well as Code of Civil Procedure sections mentioned in Rule #25, do not provide for either party to comment on an arbitration decision and award.

It is the responsibility—and the right—of either party to petition under Rule #23 of the Rules for Hearing for “Review by the Board of Supervisors.” Management's submittal is not a petition for review compliant with Rule #23.

If management's comment is a request to correct the arbitrator's ruling, homeowners object to that apparent request. A request for correction is provided for in Code of Civil Procedure, Part 3, Title 9, otherwise known as the California Arbitration Act:

**CODE OF CIVIL PROCEDURE - CCP**

**PART 3. OF SPECIAL PROCEEDINGS OF A CIVIL NATURE [1063-1822.60]** (Part 3 enacted 1872.)

**TITLE 9. ARBITRATION [1280-1294.2]** (Title 9 repealed and added by Stats. 1961, Ch. 461.)

**CHAPTER 3. Conduct of Arbitration Proceedings [1282-1284.3]** (Chapter 3 added by Stats. 1961, Ch. 461.)

**1284.**

The arbitrators, upon written application of a party to the arbitration, may correct the award upon any of the grounds set forth in subdivisions (a) and (c) of Section 1286.6 not later than 30 days after service of a signed copy of the award on the applicant.

Application for such correction shall be made not later than 10 days after service of a signed copy of the award on the applicant. Upon or before making such application, the applicant shall deliver or mail a copy of the application to all of the other parties to the arbitration.

Any party to the arbitration may make written objection to such application. The objection shall be made not later than 10 days after the application is delivered or mailed to the objector. Upon or before making such objection, the objector shall deliver or mail a copy of the objection to the applicant and all the other parties to the arbitration.

The arbitrators shall either deny the application or correct the award. The denial of the application or the correction of the award shall be in writing and signed by the arbitrators concurring therein, and the neutral arbitrator shall serve a signed copy of such denial or correction on each party to the arbitration personally or by registered or certified mail or as provided in the agreement. If no denial of the application or correction of the award is served within the 30-day period provided in this section, the application for correction shall be deemed denied on the last day thereof.

**CHAPTER 4. Enforcement of the Award [1285-1288.8]** (Chapter 4 added by Stats. 1961, Ch. 461.)

**ARTICLE 1. Confirmation, Correction or Vacation of the Award [1285-1287.6]** (Article 1 added by Stats. 1961, Ch. 461.)

**1286.6.**

- (a) There was an evident miscalculation of figures or an evident mistake in the description of any person, thing or property referred to in the award;
- (c) The award is imperfect in a matter of form, not affecting the merits of the controversy.

However, management has consistently claimed that the California Arbitration Act does not apply to Santa Barbara County Mobilehome Rent Control Ordinance arbitration and cannot now claim that selected sections of the act do apply to the arbitrator's ruling. Acceptance of management's submittal can only mean tacit agreement that Part 3, Title 9 of the Code of Civil Procedure does apply to Santa Barbara County Mobilehome Rent Control Ordinance arbitration, and management cannot, by law, collect any rent increase including arbitration attorney and expert fees from homeowners.

Dated June 26, 2017

  
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Lindse Davis, Homeowners' Representative

## DECLARATION OF SERVICE

I, TONY ALLEN, declare that I am, and was at the time of service, over the age of 18 years and am a party to the action mentioned within. My home address is 4326 Calle Real, Space 83, Santa Barbara CA 93110 in Santa Barbara County.

On June 26, 2017, I served the foregoing document entitled NOMAD VILLAGE HOMEOWNERS' OBJECTION TO PARK MANAGEMENT'S COMMENT ON ARBITRATION AWARD to the interested parties in this action by mailing and emailing a true and correct copy as follows:

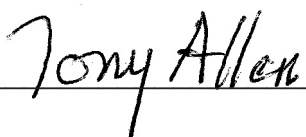
Judge David W. Long (Ret.)  
Creative Dispute Resolution  
3155 Old Conejo Road, Box 7  
Thousand Oaks CA 91320  
email: [judgelong@cdrmediation.com](mailto:judgelong@cdrmediation.com)  
[sl@cdrmediation.com](mailto:sl@cdrmediation.com)

James P. Ballantine  
Attorney for park management  
329 E. Anapamu Street  
Santa Barbara CA 93101  
email: [jpb@ballantinelaw.com](mailto:jpb@ballantinelaw.com)

Don Grady  
County of Santa Barbara Real Property Division  
1105 Santa Barbara Street  
Santa Barbara CA 93101  
email: [dgrady@countyofsb.org](mailto:dgrady@countyofsb.org)  
[mwagner@co.santa-barbara.ca.us](mailto:mwagner@co.santa-barbara.ca.us)

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

Executed on June 26, 2017, at Santa Barbara, California

  
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