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November 16, 2016

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Via Electronic Mail, First Class Mail and Personal Delivery

Trudi Ryan
Director
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Patti Evans, Chair and Members of the Housing and Human Services Commission
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***Re: Housing and Human Services Commission
Agenda Item 2, 16-0858
Findings and Recommendation Regarding Conversion Impact Report for Blue
Bonnet Mobile Home Park, located at 617 E. Evelyn Avenue in Sunnyvale
Client-Matter No. 33044.001***

Dear Ms. Ryan, Ms. Evans and Members of the Housing and Human Services Commission:

I write in response to the letter of William J. Constantine, Attorney at Law, dated and received November 15, 2016 regarding the above-referenced Agenda Item before the Housing and Human Services Commission. I represent the Applicant, East Dunne Investors LLC, which is purchasing Blue Bonne Mobilehome Park ("the Park"). Mr. Constantine's request that the Conversion Impact Report (CIR) be rejected by the Commission is meritless and based on a faulty analysis of relevant state law, as well as the City of Sunnyvale Mobilehome Park Conversion Ordinance, Sunnyvale Municipal Code (SMC) Title 19, Chapter 19.72, Section 19.72.010 et seq.

1. Mr. Constantine's letter is predicated on a significant factual error in that there is no development project or application pending before the City of Sunnyvale for any future development of the land on which the Park is presently located. On January 28, 2016 the Park

Trudi Ryan
Patti Evans, Chair and Members of the Housing and Human Services Commission
November 16, 2016
Page 2

Owner filed a *Preliminary* Planning Division Application with the City of Sunnyvale Development Department. In any case there is no legal requirement contained in the City's Mobilehome Park Conversion Ordinance or State law, which requires that a Development Application be submitted prior to or simultaneously with the CIR.

2. California Government Code Section 66427.4 which is repeatedly cited by Mr. Constantine, does not control the conversion of a mobilehome park to another use. Mr. Constantine is misleading the Commission. There are 2 types of mobilehome park conversions. The first is closure and conversion to another use, which is addressed in Government Code Sections 65863.7 and 65863.8. This is the type of closure which is occurring at Blue Bonnet Mobilehome Park. The Park will close, the residents will be re-located and the land will be developed for a use other than a mobilehome park. Government Code Section 64427.4 which Mr. Constantine refers to at length concerns mobilehome park conversion to resident ownership. In that type of conversion, the Park remains a mobilehome park, but the owner subdivides the lots that the mobilehomes are located on into individual lots. After such a subdivision, when a mobilehome owner sells their home in the park, they sell not only their home but the land it is located on. The legal requirements are different depending upon which type of conversion is sought.

3. California Government Code Section 65863.7 grants the authority to the City to provide for a process for review of the report required under said section, which report must address the impact of the closure on the affected park residents. In the case of Sunnyvale, the City has enacted a *comprehensive ordinance* which requires the Applicant to address, through the CIR the adverse impacts of the Park closure on the park's homeowners and residents. The CIR which the Commission is considering at tonight's hearing complies in every way with the requirements of the City's Ordinance. This is the same process which was applied in the Nick's Trailer Court closure, and which the City is obligated to apply under applicable state and local law.

4. Mr. Constantine's letter ignores the reality that it is not possible to include in the Conversion Impact Report a detailed description of how each resident will be relocated. The City's Ordinance requires the City to appoint a Housing Relocation Specialist. David Richman of Autotemp is the City's designated Housing Relocation Specialist, whose job it is to assist the residents to relocate to housing of their choosing. Mr. Richman's work on this project began months ago and is ongoing. Already two households have been relocated and several more are in the process of identifying alternative housing, and have notified the Mr. Richman that they will likely move prior to the end of this year. It should be noted that Mr. Richman successfully relocated all 24 households at Nick's Trailer Court within 6 months following the Sunnyvale City Council approval of the Conversion Impact Report for Nick's in January 2016. These residents were relocated with mitigation assistance far less than that which is proposed for the residents at Blue Bonnet Mobilehome Park.

5. The Applicant has complied with, and indeed exceeded every requirement of the City of Sunnyvale's Mobilehome Park Conversion Ordinance. The CIR is 50 pages in length and

Trudi Ryan
Patti Evans, Chair and Members of the Housing and Human Services Commission
November 16, 2016
Page 3

contains supporting appendices. As to the mitigation assistance to be paid the residents, the Applicant has fulfilled every requirement of the Ordinance and further provided for payment of a bonus to the residents if they move within a certain time period following the City Council approval of the CIR. The payment of such a bonus, in addition to the other forms of required mitigation assistance results in more assistance to each resident, and further assists in their relocation to new housing.

The Applicant will be present at tonight's meeting to respond to any questions by Commission Members to any issue concerning the CIR, or other topics addressed in Mr. Constantine's letter. Had Mr. Constantine's letter been received by the Applicant prior to yesterday, a more detailed response would have been prepared for the Commission's review.

Thank you for your consideration.

Sincerely,

HOPKINS & CARLEY
A Law Corporation



Margaret E. Nanda

MEN

cc: Suzanne Ise, Housing Officer, City of Sunnyvale (Via electronic mail only)