PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

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TO PARTIES OF RECORD IN CASE 16-12-018:

This is the proposed decision of Administrative Law Judge Robert M. Mason III. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's November 8, 2018 Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties of record may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure.

/s/ ANNE E. SIMON
Anne E. Simon
Chief Administrative Law Judge

AES:avs
Attachment

Decision **PROPOSED DECISION OF ALJ MASON (Mailed 10/5/2018)**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Nomad Village Mobile Home Park (aka New Nomad Park) Homeowners, Complainants, vs. Lazy Landing Mobile Home Park, LLC and Waterhouse Management Corp., Defendants.	Case 16-12-018

DECISION DISMISSING COMPLAINT, WITHOUT PREJUDICE

Summary

This decision dismisses Complaint 16-12-018 and closes the proceeding..

1. Background

1.1. The Complaint before the Commission

On December 16, 2016, complainants (Nomad Village Mobile Home Park (aka New Nomad Park) Homeowners) filed suit against defendants (Lazy Landing Mobile Home Park, LLC and Waterhouse Management Corp), claiming that the defendants noticed a rent-controlled rent increase, effective July 1, 2016, that includes pass-through charges for Health and Safety Code and Title 25 violations for common area and sub-metered electrical system abatement. Complainants assert that the charges (*i.e.* attorneys' fees and professional fees related to the code violations, and administrative and general expenses

pertaining to sub-metered utility service) violate state law (the California Mobile Home Parks Act, California Health & Safety Code §§ 18400.1 (c) and 18420 (a)(1),(2), and (3); Civil Code §§ 3480 and 3483 (regarding duty of property owner to abate a public nuisance); Civil Code § 798.39.5 (fines and forfeitures not chargeable under the Mobile Home Residency Law); Santa Barbara County Ordinance, Chapter 11-A, Mobile Home Rent Control);[1] and Decision 04-04-043.[2] Complainants also ask that the Commission order defendants to cease the rent increase for common area electrical work entirely, and to refund those amounts to complainants immediately.[3]

Complainants acknowledge the pendency of the rent control proceeding before the Santa Barbara Superior Court, but claim that "nothing in this complaint is part of the still-open judicial proceeding in Santa Barbara Superior Court."[4]

On March 10, 2017, defendants filed their answer. They assert that Lazy Landing MHP, LLC entered into a 34-year ground lease for the property on which Nomad Village Mobile Home Park is located, and Waterhouse Management Corp is the management company in charge of the operation of the

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[1] Complaint at A1-A1-4.

[2] *Interim Opinion Resolving Phase 1* in *Order Instituting Rulemaking on the Commission's own Motion to Re-Examine the Underlying Issues Involved in the Submetering discount for Mobile Home Parks and to Stay D.01-08-040* (Rulemaking 03-03-017); *Order Instituting Investigation on the Commission's own Motion to Re-examine the Underlying Issues involved in the Submetering Discount for Mobile Home Parks and to Stay D.01-08-040* (Investigation 03-03-018); and *Robert Hambley v. Hillsboro Properties* (Case 00-01-017).

[3] Complaint at A1-7.

[4] *Id.*, at A1-4.

Nomad Park.[5] Defendants claim that the Commission lacks jurisdiction over a rent control dispute since the propriety of passing on the costs in question must be resolved by the controlling rental board. In support, defendants cite to Attachment A to D.04-04-043 which states in relevant part:

> The inclusion on the above list of any cost category does not warrant automatic approval by a rent board of related rent increases for the sub-metered tenants of a mater-metered MHP [Mobile Home Park]. The MHP owner must first demonstrate that costs incurred properly fall within the categories of costs set forth above. The, **the rent board would need to determine that any related recovery of these costs through rent is not prohibited by (1) Public Utilities Code Section 739.5(a), (2) related case and statutory law, and (3) other local rent control ordinances**. (Emphasis added.)[6]

Defendants further claim that the pending rental control proceeding raises the same issues as those asserted in complainants' complaint before the Commission.[7] Defendants argue that allowing both proceedings to progress simultaneously could result in either inconsistent results and or the piecemeal adjudication of issues.[8]

1.2. The Rent Control Arbitration Proceeding

From the information gleaned from the pleadings, and from a series of email communications between the parties and the assigned Administrative Law Judge (ALJ), the parties raised the following issue in the Arbitration Proceedings

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[5] Answer at 6.

[6] *Id.*, at 2

[7] *Id.*, at 3.

[8] *Id.*, at 4.

Under the Santa Barbara County Mobile Home Rent Control Ordinance (Rent Control Arbitration Proceeding).

On or about May 27, 2016, Complainants filed a *Petition for Mobile Home Park Rent Control Hearing*. On June 10, 2016, Park Management of Nomad Village Mobile Home Park (Park Management) filed their *Objection and Response*. Park Management asserts that the law provides for rent increases to cover increased park operating costs, and that the charges for capital expenses and capital improvements may be passed through to the homeowners in the form of a rent increase. The arbitration hearing occurred on November 18, 2016 and February 10, 2017.

On June 16, 2017, the arbitrator issued his *Arbitrator's Ruling*, finding that the Notice of Increase was timely, the rental increase should be allowed, the amounts claimed for capital improvements for common area paving, common area electrical work and related engineering costs are reasonable, attorneys' fees and costs incurred since the earlier arbitration from 2011should be awarded, and Park Management should also recover its post-hearing request for attorneys' fees and costs.

On or about August 1, 2017, complainants filed their *Request for Review* of the *Arbitrator's Ruling*. On August 21, 2017, Park Management filed their *Response to the Petition for Review*. A hearing on the *Request for Review* was scheduled for December 5, 2017, before the Board of Supervisors of Santa Barbara County.

Defendants assert that any ruling by the Board of Supervisors may be appealed by way of an administrative writ of mandate to the Santa Barbara County Superior Court.

1.3. Parties Ordered to Meet and Confer

In light of the absence of a complete record from the Rent Control Arbitration Proceeding, and because of the vagueness of the instant complaint,[9] on August 2, 2018, the assigned ALJ issued a *Ruling Ordering Parties to Meet and Confer Regarding Dismissing Complaint, Without Prejudice, and to Toll any Applicable Statutes of Limitations* (*August 2, 2018 Ruling*). The parties were ordered to meet and confer (either telephonically, by e-mail, or in person) and to file their statements (either separate statements or a joint meet and confer statement) by August 14, 2018.

There is no indication that the parties complied with the ALJ's *August 2, 2018 Ruling*. Neither party filed a statement on August 14, 2018, or at any time after the August 2, 2018 Ruling. Thus, it is unknown if the parties met and conferred at all. [10]

2. Discussion

2.1. The Commission's Jurisdiction Over Mobile Homes

Initially, we must acknowledge how a matter involving mobile homes is germane to the Commission, as well as the limits of the Commission's jurisdiction over mobile home park tenants. Pursuant to Pub. Util. Code § 739.5(a), the Commission requires that gas or electric service provided by a

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[9] The deficiencies with the instant complaint are discussed, *infra*, at Section 2.2 of this decision.

[10] We note that following the *August 2, 2018 Ruling*, a representative for the complainants e-mailed the Senior Legal Typist in the ALJ Division-STAR Unit (without copying the parties on the service list) on August 11, 2018, and complained about the time to meet and confer. On August 14, 2018, the assigned ALJ e-mailed all parties and informed them of their duty to comply with Rule 1.9, of the Commission's Rules of Practice and Procedure, which requires all communications to be presented to the assigned ALJ and copied to all parties on the service list.

master-meter customer to users who are tenants of a mobile home park shall charge each user of the service at the same rate that would be applicable if the user were receiving gas or electricity directly from the gas or electrical corporation.

The Commission re-examined and updated issues related to sub-metering in its Decision (D.) 04-04-043. Therein we explained that many mobile home park owners provide electricity and/or natural gas to their tenants through a master meter. The electricity and/or natural gas are then distributed to tenants through the mobile home park owner's distribution system, as well as a sub-meter located at each tenant's mobile home. (*Id.*) While there are categories of costs that electric and natural gas utilities incur when they directly serve a mobile home park, those costs are avoided when the mobile home park is served through a distribution system owned by the mobile home park owner, known as a sub-metered mobile home park. (*Id.*) D.04-04-043 attached a joint recommendation from Pacific Gas and Electric Company, Southern California Gas Company, San Diego Gas & Electric Company, Southwest Gas Company, Southern California Edison Company, the Western Manufactured Housing Community Association, and The Utility Reform Network, that identified the following cost categories that may be charged separately to tenants if not otherwise prohibited: costs related to common areas; purchase and capital-related installation; trenching; conduits; substructures and protective structures; capital investment related costs; and operations and maintenance expenses. (*Id.*)[11]

[11] In D.04-11-033, the Commission ordered that the discount provided to mobile home park owners pursuant to Pub. Util. Code § 739.5(a) be set at the average costs that the electric or

Footnote continued on next page

Finally, the Commission's jurisdiction over mobile home parks has been updated and refined through various statutory amendments. Pub. Util. Code §§ 4351 through 4360 give the Commission jurisdiction over the safety of master-metered natural gas systems in mobile home parks; Pub. Util. Code §§ 4451 through 4465 give the Commission jurisdiction over Propane Master Tank systems serving two or more customers inside a mobile home park; and Pub. Util. Code §§ 2791 through 2799 outlines the process by which existing master-metered mobile home parks can be converted to direct utility service.

The question that must be initially determined is under what theory are complainants asserting that the Commission has jurisdiction over this dispute? Beyond Pub. Util. Code § 739.5(a), complainants do not reference these other sections in the Pub. Util. Code so it does not appear that complainants are invoking them. In examining the complaint, then, we must be able to discern if the allegation of improper charges passed through in the form of a rental increase would invoke the Commission's jurisdiction under either Pub. Util. Code § 739.5(a), or D.04-04-043.

2.2. The Ripeness Doctrine

In D.18-05-050, the Commission set forth the ripeness doctrine to determine if a proceeding is ready for Commission action:

> The ripeness doctrine "prevents courts from issuing purely advisory opinions. [Citations]." (*PG&E Corp. v. Public Utilities Com.* (2004)118 Cal.App.4th 1174, 1216.) Significantly, unlike Courts, we are not barred from issuing advisory opinions, and therefore we have more discretion than a Court to choose to

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natural gas utility would have incurred in providing comparable services to the mobile home park tenant directly, which is avoided when the mobile home park is sub-metered. In D.05-04-031, the Commission modified D.04-11-033 to clarify some of the language.

> review issues earlier. Nevertheless, we consider ripeness to determine whether an issue is worthy of our immediate attention. As a general matter, we are reluctant to consider hypothetical controversies before there is a compelling reason to do so.

To determine ripeness, the Commission considers (1) the fitness of the issues for judicial decision; and (2) the hardship to the parties of withholding court consideration. (D.18-05-050, citing *PG&E Corp*, at 1217.)[12] The Commission also has the discretion to decline to rule on the entirety of a complaint, or on a material issue, if the factual record is lacking. (*See, e.g.* D.97-08-016 [73 CPUC2d 709, 712] "We also disfavor issuing advisory opinions where the issue or controversy is not sufficiently developed to assist the Commission in reaching a reasoned decision[;]" and D.97-08-056 [74 CPUC2d 1, 20 ["We agree that we do not have adequate information here to undertake any changes to line extension rules or the way rates are designed to accommodate rule changes."].)

While the Commission does have more discretion than superior courts when it comes to the matter of issuing advisory opinions, that discretion must be used sparingly. On numerous occasions, the Commission has expressed its general reluctance to issue a decision that provides declaratory relief[13] (D.97-10-087 [76 CPUC2d 287, 325,-326]; D.97-09-058 [75 CPUC2d 624, 625]; D.91-11-045 [abstracted at 42 CPUC2d 9]), or which is advisory in nature (D.03-09-027 at 3; D.00-01-052 at 12-13; D.00-06-002 at 4; D.97-09-058 [75 CPUC2d

[12] Ripeness, and the reluctance to issue an opinion in a matter that does not meet the ripeness test, is not unique to the Commission, but is, instead, a policy long adopted by the courts to avoid wasting scarce decision-making resources. (*See Pacific Legal Foundation v. California Coastal Commission* (1982) 33 Cal.3d 158, 170; and D.98-03-038, 1998 Cal PUC LEXIS 74, at 5.)

[13] Declaratory relief actions specify the rights and duties or the status of the parties before a court. (*See* Code of Civil Procedure § 1060.)

624, 625]; and D.87-12-017 [26 CPUC2d 125, 130).[14] The exception to that general reluctance would be in those instances where issuing the declaratory relief or advisory opinion would be necessary due to extraordinary circumstances, such as the proceeding deals with a matter of widespread public interest, or another governmental agency would benefit from a timely expression of the Commission's views. (*See* D.03-09-015 at 26; and D.97-08-016 [73 CPUC2d 709, 712].)

As this Decision will demonstrate, the instant proceeding neither satisfies the ripeness doctrine, nor presents a scenario that would warrant the issuance of an advisory or declaratory opinion.

2.2.1. The Complaint is not Fit for Resolution Because the Factual Record is Incomplete

The above chronology demonstrates that the pleading record is incomplete since complainants filed their complaint with the Commission while the Rent Control Arbitration Proceeding was still underway. Complainants have failed to inform the Commission of the ultimate result of the *Request for Review* before the Board of Supervisors of Santa Barbara County. Complainants have also failed to explain if any ruling by the Board of Supervisors was appealed by way of an administrative writ of mandate to the Santa Barbara County Superior Court, and what was the outcome of that administrative writ. Since the current status of the Rent Control Arbitration Proceeding, and what was ultimately resolved, remains unclear, the Commission is not in a position to determine if the relief

[14] Advisory opinions are those that would not affect any party to a proceeding either favorably or detrimentally but would offer advice on how to conduct affairs in the future. (*See Carsten v. Psychology Examining Committee of the Board of Medical Quality Assurance* (1980) 27 Cal.3d 793, 798.) Advisory opinions are also frowned upon when they may impact the rights and duties of an entity that is not a party to the proceeding. (*See Salzar v. Eastin* (1995) 9 Cal.4th 836, 860.)

complainants are seeking in this proceeding is duplicative of the relief complainants sought in the Rent Control Arbitration Proceeding. As the Commission has done in previous proceedings where the record is incomplete (D.97-08-016 and D.97-08-056), it will not endeavor to resolve a dispute based on a partial record.

2.2.2. The Complaint seeks a Combination of Impermissible Advisory and Declaratory Opinions

Complainants do not clearly state their legal positions and the relief that they want the Commission to grant. For example, Complaint Form Section G(4), A1-6, asks a series of four questions that seek either advice or a declaratory determination, but does not set forth complainants' positions and the applicable law that supports each position. For example, question one says:

- Does CPUC jurisdiction pre-empt state law requiring management to assume responsibility for all code violation abatement costs, including common area costs?

This question is phrased in a manner that solicits advice from the Commission rather than set forth a declarative position, and the Commission has dismissed complaints that sought similar advisory opinions. (*See* D.99-08-018 [1 CPUC3d 716, 717] wherein the Commission declined to answer the whether the Wine Train is "presently operating as a public utility, within the meaning of Public Utilities Code Section 216?")

Instead, the complainants should state if they contend this is a case of Commission preemption of state law and set forth the authorities support that position. Complainants should also state why they are raising a question of Commission preemption if, as they have claimed, the issues before the Commission are different than the issues before the Rent Control Arbitration Proceeding.

The remaining three questions are also problematic. They are phrased in a manner that asks the Commission to determine the parties' rights *i.e.* declaratory relief:

- Are attorney and professional fees relating to sub-metered utilities included in administrative and general expenses for the purposes of D0404043, Attachment A?
- Is a replacement service extension to upgrade a space serviced for 50+ years considered expansion of the network for areas yet to be serviced by the utility?
- Are costs—including, but not limited to, engineering and professional fees, permits, and plot plans—relating to the electric and gas sub-metered system, included in administrative and general expenses for purposes of D0404043, Attachment A? Each of these four questions should be rephrased as declarative statements with the applicable law cited at the end of the statement.

The Commission has dismissed complaints that seek similar declarations. (*See* D.99-08-018 [1 CPUC3d 716, 717] wherein the complaint asked "if the Wine Train were to operate in the manner authorized by the Commission in D.96-06-024 and D.96-11-024, would the Wine Train be a public utility within the meaning of Public Utilities Code Section 216?") Complainants need to revise their complaint and clearly set forth their positions on each of these three questions with the appropriate supported legal authorities cited.

Complainants also need to explain why the Commission must address these issues when Attachment A to D.04-04-043 states that local rent boards must determine if rent increases for sub-metered tenants comply with Pub. Util. Code § 739.5(a), related case and statutory law, and other local rent control ordinances. Complainants must explain what other law they want the Commission to consider that would not be considered by the local rent boards. And if complainants want the Commission to address Health and Safety Code

§§ 18400.1 and 18420, Civil Code §§ 798.39.5, 3480 and 3483, and Santa Barbara County Ordinance § 11A-5, as alleged in their complaint,[15] they must explain how these authorities are within the Commission's jurisdiction to address.

Our review of the balance of the complaint supports our conclusion that it is not properly phrased and prevents the Commission, at present, from making any decisions regarding its purported merits. Section H of the complaint form instructs that the complainant "must state the exact relief you are requesting." Instead, complainants state in their first paragraph under Section H that they want:

> Definitive answers to the questions raised in G(4). We do not ask the CPUC to make decisions that usurp arbitral authority. Complainants wish to know the truth of the law, as it regards sub-metered utilities, and our rights under the laws of the state to avoid being deprived of due process.[16]

But since the Commission does not ordinarily provide declaratory opinions in complaint cases, it is incumbent on complainants to rephrase Section H, first paragraph, so the Commission knows the exact relief that is being requested and the predicate basis for the relief.

The second paragraph under Section H appears to zero in more closely on what appears to be in dispute and asks the Commission to do more than render a legal opinion. Complainants want the Commission:

- to order defendants to cease the rent increase for common area electrical work entirely;
- to order defendants to refund these amounts; and

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[15] Complaint at A1-3.

[16] *Id*, at A1-7.

- to order defendants to cease the rent increase for defense of the homeowners appeal and lawsuit until all time and charges for electrical abatement, as well as administrative and general expenses relating to sub-metered utilities, are removed.[17]

Yet complainants do not explain why they are entitled to this relief, what law supports their claims, and how the questions identified in Section G(4), A1-6 (discussed above), support their claims for relief. Furthermore, complainants fail to square their request with the fact that Attachment A to D.04-04-043 vested the authority to local rental boards to rule on costs passed through to tenants via rental increases.

In considering the record as a whole that has been developed to date, we see no compelling reason in this instance to vary from the Commission's general practice of avoiding the issuance of either an advisory or declaratory opinion.

2.2.3. No Hardship from the Commission Withholding Consideration of the Complaint

D.18-05-050 states that the Commission will consider if there will be a hardship to the parties if the Commission declines to issue an advisory or declaratory opinion and instead dismisses the instant complaint. We fail to see such a hardship. Complainants' objections to the rental increase are already being addressed in the Rental Control Arbitration Proceeding. The record is also not clear as to what additional issues related to the defendants' rental increase need to be addressed by the Commission that either won't or can't be addressed in the Rental Control Arbitration Proceeding. Until there is a complete record as to the final resolution of the Rental Control Arbitration Proceeding, there is no

[17] *Id.*

apparent current need for the Commission to interject itself into this proceeding. As such, in our review of the record, we conclude that declining to issue an advisory or declaratory opinion and dismissing the complaint will not cause the complainants any hardship.

3. Categorization and Need for Hearing

This decision confirms the categorization of this proceeding as adjudicatory. This decision revises the determination that hearings are needed and determines that no hearings are needed.

4. Comments on Proposed Decision

The proposed decision of Administrative Law Judge Robert M. Mason III in this matter was mailed to the parties in accordance with Pub. Util. Code § 311, and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. Comments were filed on _____, 2018, by the following parties:_____.

5. Assignment of Proceeding

Martha Guzman Aceves is the assigned Commissioner and Robert M. Mason III is the assigned ALJ.

Findings of Fact

1. On December 16, 2016, complainants filed suit against defendants, claiming that the defendants noticed a rent-controlled rent increase, effective July 1, 2016, that includes pass-through charges for Health and Safety Code and Title 25 violations for common area and sub-metered electrical system abatement.

2. On March 10, 2017, defendants filed their answer. They assert that Lazy Landing MHP, LLC entered into a 34-year ground lease for the property on which Nomad Village Mobile Home Park is located, and Waterhouse Management Corp is the management company in charge of the operation of the

Nomad Park. Defendants claim that the Commission lacks jurisdiction over a rent control dispute since the propriety of passing on the costs in question must be resolved by the controlling rental board.

3. Defendants further claim that the pending rental control proceeding raises the same issues as those asserted in complainants' complaint before the Commission.

4. On or about May 27, 2016, Complainants filed a *Petition for Mobile Home Park Rent Control Hearing*.

5. On June 10, 2016, Park Management of Nomad Village Mobile Home Park (Park Management) filed their *Objection and Response*. Park Management asserts that the law provides for rent increases to cover increased park operating costs, and that the charges for capital expenses and capital improvements may be passed through to the homeowners in the form of a rent increase.

6. The arbitration hearing occurred on November 18, 2016 and February 10, 2017.

7. On June 16, 2017, the arbitrator issued his *Arbitrator's Ruling*, finding that the Notice of Increase was timely, the rental increase should be allowed, the amounts claimed for capital improvements for common area paving, common area electrical work and related engineering costs are reasonable, attorneys' fees and costs incurred since the earlier arbitration from 2011should be awarded, and Park Management should also recover its post-hearing request for attorneys' fees and costs.

8. On or about August 1, 2017, complainants filed their *Request for Review* of the *Arbitrator's Ruling*.

9. On August 21, 2017, Park Management filed their *Response to the Petition for Review*.

10. A hearing on the *Request for Review* was scheduled for December 5, 2017, before the Board of Supervisors of Santa Barbara County.

11. Defendants assert that any ruling by the Board of Supervisors may be appealed by way of an administrative writ of mandate to the Santa Barbara County Superior Court.

12. The factual record in this proceeding is incomplete as the complainants have failed to advise the Commission regarding any ruling by the Board of Supervisors.

13. The factual record in this proceeding is incomplete as the complainants have failed to advise the Commission if there was an appeal of any ruling by the Board of Supervisors, and the outcome of that appeal.

Conclusions of Law

1. The Commission has jurisdiction over mobile home parks with respect to, at a minimum, electricity and/or natural gas that is provided by mobile home park owners to their tenants through either a master-meter or a sub-meter.

2. The Commission will not consider a complaint that does not satisfy the ripeness doctrine unless there is a compelling reason to do so.

3. It is reasonable to conclude that the complaint is not ripe for resolution because the factual record is incomplete.

4. It is reasonable to conclude that there is no compelling reason to consider complainants' complaint at present.

5. The Commission will not issue either an advisory opinion or declaratory relief unless there are extraordinary circumstances.

6. It is reasonable to conclude that the complaint seeks both impermissible advisory opinions and declaratory relief.

7. It is reasonable to conclude that there are no extraordinary circumstances to warrant the Commission's issuance of either an advisory opinion or declaratory relief.

8. It is reasonable to conclude that no hardship will befall the complainants if the Commission dismisses this complaint without prejudice.

O R D E R

IT IS ORDERED that:

1. The complaint filed by Nomad Village Mobile Home Park (aka New Nomad Park) Homeowners against Lazy Landing Mobile Home Park, LLC and Waterhouse Management Corp., is dismissed without prejudice.

2. If Nomad Village Mobile Home Park (aka New Nomad Park) Homeowners/Complainants wish to refile their complaint in the future, they must cure all of the deficiencies identified in this decision. Specifically, a new complaint must:

- Provide a complete recounting (with the pleadings and orders attached) and the outcome from the Arbitration Proceedings Under the Santa Barbara County Mobile Home Rent Control Ordinance that complainants initiated;
- Provide a complete recounting (with the pleadings and orders attached) of the hearing on the complainants' *Request for Review* before the Board of Supervisors of Santa Barbara County;
- Provide a complete recounting (with the pleadings and orders attached) of any appeal that complainants made to the Santa Barbara County Superior Court.
- Not include any requests for advisory opinions.
- Not include any requests for declaratory opinions.
- Explain, in detail, how their complaint before the Commission is distinct from the Arbitration Proceedings

Under the Santa Barbara County Mobile Home Rent Control Ordinance that complainants initiated.

- Explain, in detail, why the Commission's Decision 04-04-043, Attachment A, doesn't preclude complainants from challenging, before the Commission, the rental increases that are the subject of the instant complaint.

3. Case 16-12-018 is closed.

This order is effective today.

Dated _____, at Fresno, California.