

No. 5A-25

Filed July 22, 2025

By HEATHER RYAN
Deputy Clerk of the Board of Supervisors



**RESOLUTION
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TUOLUMNE**

WHEREAS, the Tuolumne County Mobilehome Rent Control Ordinance in Chapter 5.28 of the ordinance code entitles mobile home parks to apply for a "fair rate of return" increase in rents; and,

WHEREAS, these applications are processed by the Housing Division of the Community Development Department and subsequently are adjudicated by the Tuolumne County Board of Supervisors in a public hearing; and,

WHEREAS, the Board of Supervisors desires to adopt procedures that are tailored to enable the Park Owner and Mobilehome Owner representatives and their witness and the County staff and their witnesses to present their views and testimony in such hearings; and,

WHEREAS, the Housing Division proposes the procedures attached as Exhibit A hereto setting forth the prehearing deadlines for written submissions by parties interested in the hearing, and hearing procedures including the category, order, and length of presentations and discussion.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Tuolumne, State of California, that:

1. The procedures for fair rate of return hearings pursuant to Tuolumne County Ordinance Code §5.28.070 as set forth in Exhibit A attached hereto are adopted and effective immediately.
2. All other general procedures for the conduct of public hearings in the Governance Manual shall apply to fair rate of return hearings to the extent they do not conflict with this resolution.

[Intentionally Blank]

ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF TUOLUMNE ON
JULY 22, 2025.

AYES: 1st Dist. _____

NOES: _____ Dist.

2nd Dist. RYAN CAMPBELL

_____ Dist.

3rd Dist. DANIEL ANTHONY KIRK

ABSENT: 1st Dist. MICHAEL HOLLAND

4th Dist. STEPHEN A. GRIEFER

_____ Dist.

5th Dist. JARON E. BRANDON

ABSTAIN: _____ Dist.

J. S. R.
CHAIR OF THE BOARD OF SUPERVISORS

ATTEST: [Signature]
DEPUTY Clerk of the Board of Supervisors

NO. 54-25

I hereby certify that according to the provisions
of Government Code Section 25103, delivery of
this document has been made.

HEATHER D. RYAN
Board Clerk

By: [Signature]

EXHIBIT A

SCHEDULE FOR PREHEARING WRITTEN SUBMISSIONS

	SUBMISSION SCHEDULE (Days before hearing)
Petition Deemed Complete (hearing within 50 days)	
Written responses of Tenant Representative and Individual Tenants	30
Written Evaluation of County	22
Response by Owner to Submissions of Tenant Representative and Evaluations County	14
Response by Tenant Representative to Owner Response and Evaluations of County	7

This schedule may be modified by County Counsel in the event of a continuance as set forth below in order to ensure that both parties receive a full and equal opportunity for a fair hearing.

SELECTION OF TENANT REPRESENTATIVE

The appointment of a tenant representative shall be conditioned on the submission to County of a notice signed by tenants occupying a majority of the spaces in a park.

CONTINUANCES

The hearing, once noticed and published, may be continued by County Counsel for a period of up to sixty (60) days without approval of the Board of Supervisors. However, if a hearing is continued by County Counsel, the continued hearing date must be re-noticed and re-published.

RETENTION OF RECORDS

Notwithstanding any other County laws authorizing the destruction of County public records after a designated time period, all documents and records obtained by and/or submitted to the County pursuant to these Procedures shall be converted into electronic format and shall be permanently retained by the County, as they may have application or relevancy in an analysis relating to a future proceeding.

FAIR RATE OF RETURN HEARING PROCEDURES

	HEARING SEGMENT	Time (in minutes)
1.	Owner Representative's Presentation	45
2.	Tenant Representative(s)' Cross-Examination of Owner Representative	20
3.	Tenant Representative(s)' Presentation of Evidence	45
4.	Owner Representative's Cross-Examination of Tenant Witnesses	20
5.	County Staff/Consultants' Presentation of Analysis	45
6.	Owner Representative's Cross-Examination of County Consultants	20
7.	Tenant Representative(s)' Cross-Examination of County Consultants	20
8.	Testimony At Large – Total Time (as necessary, including Owner Representative Cross-Examination of Tenant witnesses	30
9.	County's Examination of Witnesses at Large, including County Consultants	30
10.	County Staff/Consultant Closing Comments	10
11.	Tenant Representative(s)' Closing Argument	10
12.	Park Owner's Closing Argument	10
	Total Minutes	305
	Total Hours	5.08