

2010 Mobilehome/Manufactured Housing and Related Housing Bill List

FINAL update - October 5

Senate Bill 183 (Lowenthal) - **CARBON MONOXIDE ALARMS**

Last Amended: 3/25/10

Current law requires that smoke alarms be installed in manufactured homes or mobilehomes. Current law also requires, on the sale of real property or resale of a manufactured home or mobilehome, that a seller provide a buyer with a transfer disclosure statement (TDS) making specified disclosures or certifications regarding the property or home. This measure requires that owners of all existing single-family dwelling units on or before July 1, 2011, and all other existing dwelling units, although not specifically mobilehomes, on or before January 1, 2013, install a carbon monoxide device listed by the State Fire Marshal. The bill also requires the State Fire Marshal to certify and approve carbon monoxide devices for residential use. The bill revises mobilehome TDS requirements relating to installation of smoke alarms, garage door reversing mechanisms, and water heaters that are safety strapped, and adds a re-sale disclosure requirement for carbon monoxide devices.

SPONSOR: CA Coalition for Children's Safety and Health; CA State Firefighters Assn.

STATUS: **Signed** by Governor (Chapter 19, Statutes of 2010)

Senate Bill 542 (Wiggins) – **SOLAR ENERGY PROGRAMS: MULTI-UNIT AND MANUFACTURED HOUSING**

Last amended: 5/28/09

The California Solar Initiative is implemented by the California Energy Commission and the California Public Utilities Commission (CPUC) to encourage energy efficiency and conservation. This bill requires the CPUC to develop plans to expand participation of multi-unit residential and commercial rental properties in energy efficiency and solar programs and also provides that the CPUC and the Energy Commission shall inform solar energy installers that a solar energy system installed on a manufactured home must comply with HCD's Title 25 requirements for modification of a manufactured home.

SPONSOR: Author

STATUS: **Failed**

Senate Bill 951 (Correa) – **MOBILEHOME PARKS ACT: MOBILEHOME PARK MAINTENANCE PROGRAM**

Last amended: 7/1/10

The Mobilehome Parks Act requires the Department of Housing and Community Development or a local jurisdiction that assumes responsibility for the enforcement of

the act to enter and inspect mobilehome parks with a goal of inspecting at least 5% of the parks each year to ensure enforcement of the act and implementing regulations. Existing law also requires an enforcement agency to issue notice to correct a violation. Existing law sunsets on January 1, 2012. This bill would extend the sunset to January 1, 2019.

SPONSOR: Author

STATUS: **Signed** by Governor (Chapter 314, Statutes of 2010)

Senate Bill 995 (Strickland) – **CONDOMINIUM CONVERSIONS**

This bill would provide that a stock cooperative or community apartment project for senior citizens, established before the Davis-Sterling Common Interest Development Act, that is converting to a condominium, shall not be required to file a condominium plan as part of the documents required to be submitted to the Department of Real Estate.

SPONSOR: Unknown

STATUS: **Died**

Senate Bill 1047 (Correa) – **NONPROFIT ROPs: TENANT PROVISIONS**

Last amended: 5/12/10

This bill defines those resident-owned parks in which the member resident owns a share (membership) but who also leases his or her space from the corporation which owns the park. This bill then allows those leases to be governed by Civil Code Sec. 798.

SPONSOR: Author

STATUS: **Signed** by Governor (Chapter 175, Statutes of 2010)

Senate Bill 1097 (Strickland) – **UTILITY SERVICES: MASTER-METER CUSTOMERS**

Last amended: 5/11/10

This bill would require a gas or electrical corporation that receives an offer to transfer a gas or electric system from a master-metered mobilehome park or manufactured housing community that is within its service territory to accept transfer if certain criteria are met, require the corporation to assign a representative who will have responsibility for oversight of the proposed transfer, and authorize the owner of a park to bring a complaint before the commission for violations of the transfer laws. This bill would also authorize the utility commission to prioritize approvals for transfers. (See SB 1467)

SPONSOR: Western Manufactured Housing Communities Association (WMA)

STATUS: **Died**

Senate Bill 1128 (DeSaulnier) – **COMMON INTEREST DEVELOPMENTS: GOVERNANCE**

Last amended: 8/9/10

This bill applies certain provisions of the Davis-Stirling Common Interest Development Act to a nonprofit entity that provides services to a common interest development under a declaration of trust; specifically so, in regards to prohibiting any assessment, penalty,

or fee in connection with a transfer of title of any other interest except the association's actual costs to change its records and a specified charge for providing certain information upon request. Also requires such entity to make the accounting books and records and the minutes of proceedings of the association available for inspection and copying by a member of the entity, or the entity's designated representative. See AB 1927 (Knight)

SPONSOR: Unknown

STATUS: **Signed** by Governor (Chapter 322, Statutes of 2010)

Senate Bill 1149 (Corbett) – **RESIDENTIAL TENANCIES: FORECLOSURE**

Last amended: 8/20/10

This bill, in addition to existing law governing public access to civil case records, allows limited access to cases of complaints involving residential property that has been sold in foreclosure. It also would require specified noticing to tenants of foreclosed properties or rental housing units, including mobile or manufactured homes.

SPONSOR: Western Center on Law & Poverty

STATUS: **Signed** by Governor (Chapter 641, Statutes of 2010)

Senate Bill 1467 (Padilla) – **PUBLIC UTILITIES BUY-OUT OF UTILITY SYSTEMS IN MOBILE/MANUFACTURED HOME PARKS**

Last amended: 8/19/10

The Public Utilities Code sets forth guidelines for mobile/manufactured homes park owners to transfer master-meter utility systems to the local serving utility.

SPONSOR: Senate Energy, Utilities and Communications Committee

STATUS: **Vetoed** by Governor



Assembly Bill 761 (Charles Calderon) – **MOBILEHOME PARK RENT DE-CONTROL**

Last amended: 3/24/10

Approximately 100 local jurisdictions have some form of mobilehome park rent control in California. This bill would provide for a "vacancy decontrol" feature for mobilehome park tenancies by specifying that, upon the sale, transfer, or termination of an interest in a mobilehome or tenancy in a park, the park may offer a new rental agreement with rents in excess of that established by a local rent control ordinance or measure. The park may offer a new rental agreement containing an initial rent that is in excess of the maximum rent established by a local measure by a minimum of 20% or \$100, whichever is greater, as specified. The bill would permit not more than one increase within a 36-month period, as specified. The bill would specify that it does not apply to rental rate adjustments that are not subject to a local rent control ordinance and does not apply under other specified circumstances.

SPONSOR: Western Manufactured Housing Communities Association (WMA)

STATUS: **Failed**

Assembly Bill 1108 (Fuentes) – **MOBILEHOME PARK MASTER-METER UTILITIES SERVICE**

Last amended: 8/20/10

Existing law authorizes the owner of a master-metered mobilehome park or manufactured housing community that provides gas or electric service to residents to transfer ownership and operational responsibility for its gas or electric system to the gas or electrical corporation providing service in the area in which the park or community is located, pursuant to specified transfer and cost allocation procedures. This bill would require the CPUC to open an investigation or other appropriate procedure to evaluate and report to the Legislature when an owner of a master-metered mobilehome park or manufactured housing community that provides gas or electric service to residents of the park or community should be required to transfer responsibility for gas or electric service to the gas or electrical corporation providing service in the area in which the park or community is located, along with those plant, facilities and interests in real property that the gas or electrical corporation determines are necessary, convenient, or cost effective to provide service.

SPONSOR: Author; Neighborhood Friends

STATUS: **Died**

Assembly Bill 1718 (Blumenfield) – **SENIOR CITIZENS MOBILEHOME PROPERTY TAX POSTPONEMENT LAW**

Last amended: 8/31/10

This bill would establish the County Deferred Property Tax Program for Senior Citizens and Disabled Citizens, with conditions upon which the county may elect to participate and administer the program.

SPONSOR: Author

STATUS: **Vetoed** by Governor

Assembly Bill 1726 (Swanson) – **COMMON INTEREST DEVELOPMENTS: BALLOTS: QUORUMS**

Last amended: 8/4/10

This bill would clarify requirements for ensuring confidentiality of voter absentee ballots for members, provide requirements for quorums for specific elections, and allow board members to attend directors' meetings via telephone or video communications.

SPONSOR: Community Associations Institute

STATUS: **Vetoed** by Governor

Assembly Bill 1803 (Nava) – **COMMON INTEREST DEVELOPMENTS: DISPUTE RESOLUTION**

Last amended: 4/5/10

This bill was amended to create the Mobilehome Residency Law Mediation Act and would require the Attorney General to administer a mobilehome dispute resolution program. This bill would require the Attorney General to produce and distribute educational materials, collect information about mobilehome communities and make it publicly available, and provide an annual report to the Legislature. This bill would also require the Attorney General to receive complaints, investigate alleged violations at its discretion, and facilitate negotiations. This bill would also establish the Mobilehome

Residency Law Mediation Fund for the fees collected by the Attorney General and the Department of Housing and Community Development imposing a \$10 assessment fee on landlords for each mobilehome within the community and a \$250 late fee.

SPONSOR: Golden State Mobilehome Owners League

STATUS: **Failed**

Assembly Bill 1823 (Torres) – **MOBILEHOME PARK PURCHASE FUND: PARK RELOCATION COSTS**

Existing law authorizes HCD to make loans from the Mobilehome Park Purchase Fund to mobilehome park residents, resident organizations, qualified nonprofit housing sponsors, or local public entities to finance conversion of the parks to resident ownership. Existing law also authorizes these funds to be used to finance the costs of relocating a mobilehome park to a “more suitable” site within the same jurisdiction upon a specified determination of the department. This bill would instead specify that the funds may be used to finance the costs of relocating a park to a “different” site within the same jurisdiction.

SPONSOR: Author

STATUS: **Died**

Assembly Bill 1927 (Knight) – **COMMON INTEREST DEVELOPMENTS**

Last amended: 8/4/10

Under existing law, a common interest development is managed by an association pursuant to the provisions of the governing documents of the development. This bill would provide that any provision that is added to or included in a governing document initially recorded on or after Jan. 1, 2011, that prohibits the rental or lease of a separate interest is void, unless the provision imposing the prohibition is approved by 2/3 of the owners of separate interests with voting power. It also requires the owner of a separate interest, when a governing document prohibits the rental or leasing of all or any of the separate interests, to provide a statement describing the prohibition and its applicability. See SB 1128.

SPONSOR: California Association of Realtors

STATUS: **Vetoed** by Governor

Assembly Bill 1964 (Torres) – **MOBILEHOME PARKS ACT: MOBILEHOME PARK MAINTENANCE PROGRAM**

Existing law requires the Department of Housing and Community Development to enact and enforce rules and regulations to protect public health and safety in mobilehome parks. The act prescribes requirements and procedures relating to the inspection of mobilehome parks, the issuance of notices to correct a violation of the act, and the payment of various renewal, registration, and operating fees. The provisions of this act will sunset on January 1, 2012. This bill would extend the sunset to January 1, 2019.

SPONSOR: Author

STATUS: **Died**

Assembly Bill 2029 (Cook) – **MOBILEHOMES: ANNUAL REGISTRATION FEE**

The Mobilehome Parks Act requires the payment of an annual registration fee for a manufactured home or mobilehome. This bill would exempt a manufactured home or mobilehome household whose income is below the federal poverty level from the annual fee requirement.

SPONSOR: Author

STATUS: **Failed**

Assembly Bill 2087 (Torres) – **CAL-VET HOME LOAN: DEFINITION OF “HOME”**

Last amended: 4/19/10

This bill would expand the definition of “home” (including mobilehome) to include residences with 2-4 units, inclusive, that satisfy specified requirements and that are only occupied by veterans and their families.

SPONSOR: Unknown

STATUS: **Signed** by Governor (Chapter 542, Statutes of 2010)

Assembly Bill 2120 (Silva) – **MOBILEHOME PARKS: MOBILEHOME RESIDENCY LAW**

Last amended: 6/22/10

Existing law requires the management of a mobilehome park to provide all homeowners with a copy of the Mobilehome Residency Law by February 1 of each year, if a significant change was made in those provisions by legislation enacted in the prior year. This bill would require management to provide all homeowners with a copy of that law or to notify all homeowners that a change has been made in those provisions and provide a copy to the homeowner upon request.

SPONSOR: Western Manufactured Housing Communities (WMA)

STATUS: **Signed** by Governor (Chapter 90; Statutes of 2010)

Assembly Bill 2136 (Perez; Salas) – **CalHOME MOBILEHOME REHAB FUNDS**

Last amended: 8/20/10

Existing law permits CalHOME loans to be used to enable low-income mobilehome owners to repair, rehabilitate or replace their mobilehomes in mobilehome parks. These secured forgivable loans requirement would be changed as follows: due and payable in 10 years, with 20% of the original principal to be forgiven annually for each additional year beyond the 5th year that the mobilehome is owned and continuously occupied by the borrower.

SPONSOR: Author

STATUS: **Signed** by Governor (Chapter 461, Statutes of 2010)

Assembly Bill 2321 (Nava) – **LAND USE: SUBDIVISIONS: MOBILEHOME PARKS**

Last amended: 4/8/10

This bill no longer affects the Subdivision Map Act in regards to the filing of a map, by a subdivider, for a subdivision to be created from the conversion of a rental mobilehome

park to resident ownership, to avoid the economic displacement of nonpurchasing residents. In its current form, this bill addresses the subject of political reform and campaign reporting.

SPONSOR: Author

STATUS: Amended. No longer relevant

Assembly Bill 2439 (Nestande) – **MOBILEHOME PARKS: SUBLETTING: RENT**

This bill amends Civil Code Sec. 798.23.5, of the Mobilehome Residency Law, authorizing the management of a mobilehome park to permit a mobilehome owner to sublet his or her mobilehome or space, without regard to whether there is a medical emergency or need for medical treatment on the part of the homeowner, for an amount more than necessary to cover the cost of space rent, utilities, and scheduled loan payments on the mobilehome, if any, and in accordance with the reasonable rules and regulations of the park. The bill would also exempt a space that is sublet pursuant to these new provisions, from rent control.

SPONSOR: Western Manufactured Housing Communities (WMA)

STATUS: **Died**

AB 2502 (Brownley) – **HOMEOWNERS' ASSOCIATIONS: COLLECTIONS OF DELINQUENT DEBT**

Last amended: 5/10/10

This bill amends the Davis-Stirling Act to clarify provisions in regards to homeowner's delinquency in paying association fees and assessments. Some of the provisions noted in the bill are: a delinquent homeowner may not waive the obligation to pay the debt other than in the order specified; that the association is required to accept partial payments of the debt if such complies with the terms of a written agreement; and that, if requested by the homeowner, requires the association to meet with the homeowner in open session to discuss a payment plan, with applicable provisions.

SPONSOR: Unknown

STATUS: **Died**

Assembly Bill 2526 (Fong) – **PROPERTY TAXATION: MANUFACTURED HOMES: STATEMENT TO ASSESSOR**

This bill currently contains "intent" language for legislation that would require owners and operators of manufactured home parks to provide, upon the request of the county assessor of the county in which the manufactured home park is sited, a statement containing specified information regarding all of the manufactured homes located in the park.

SPONSOR: California Assessors Association

STATUS: **Died**

Assembly Bill 2710 (Blumenfield) – **PARKING SIGNS: VEHICLE REMOVAL**

Last amended: 4/12/10

This bill may affect common interest developments. It would authorize a local authority, in lieu of posting signs that prohibit or restrict the location of a stopped car, to provide notice by issuing a warning citation advising the registered owner of the vehicle that he or she may be subject to a notice of violation for a subsequent violation and that such may result in the impounding of the vehicle, and that further notice for a subsequent violation is not required prior to impounding.

SPONSOR: Author

STATUS: **Died**

Assembly Bill 2762 (Assembly Housing & Comm. Devel. Cmte) – **HOUSING OMNIBUS BILL**

Last amended: 8/20/10

This bill would expand the requirements, upon licensed real estate brokers, to include a manufactured home, in addition to a mobilehome. This bill also makes minor conforming changes to existing law.

SPONSOR: Committee

STATUS: **Signed** by Governor (Chapter 610, Statutes of 2010)

Legend of Terms and Abbreviations

CMHI = California Manufactured Housing Institute (manufacturers/dealers)

CPUC = California Public Utilities Commission

GSMOL = Golden State Manufactured-home Owners League (homeowners)

HCD = Department of Housing & Community Development (state)

MRL = Mobilehome Residency Law

TDS = Transfer Disclosure Statement

WMA = Western Manufactured Housing Communities Association (park owners)