

TRANSCRIPT OF HEARING ON
THE MOBILEHOME PARK INSPECTION PROGRAM

JANUARY 26, 1999
STATE CAPITOL
SACRAMENTO, CALIFORNIA

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Placer County Supervisor

MR. STAN HANSEN.....
Brookview Mobilehome Park, Concord, CA

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Homeowners Coalition Mobilehome Parks of Tuolumne County

MR. MILAN DOBRO.....
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MS. BETTIE THOMPSON.....
El Dorado County mobilehome owners

MR. COLEMAN PERSILY.....
Golden State Mobilehome Owners League

Senate Select Committee on Mobile and Manufactured Homes
January 26, 1999 Hearing, 3 – 5 p.m.
Room 3191, State Capitol

Mobilehome Park Inspection Program

Background Paper

Purpose:

The Mobilehome Park Inspection Program, which currently requires every mobilehome park in the state to undergo a complete health and safety inspection at least once every eight years, will sunset on January 1, 2000. The purpose of this hearing is to consider whether the program should be continued, either for another cycle, such as 7 or 8 years, or indefinitely. To a large extent that will be determined by 1) whether the program has been effective in maintaining and improving health and safety conditions in California mobilehome parks, 2) what aspects of the program can be changed to make the program work better, and 3) to what extent, if any, park owner and homeowner fees which support the program will have to be increased to continue it.

Historical perspective:

As far back as 1920, state regulations governed health and safety in auto camps, predecessors of modern mobilehome parks. The Mobilehome Parks Act was adopted by the Legislature in 1967, giving the Commission (now Department) of Housing and Community Development (HCD) authority to regulate the construction, use, maintenance, and occupancy of mobilehome parks and the installation, use, maintenance and occupancy of mobilehomes located in those parks. Specific health and safety requirements, such as set back requirements for mobilehomes from their lot lines, the height of mobilehome stairway risers, or the length of gas connectors, for example, are spelled out, not in statute, but by department regulations, commonly known as "Title 25" (Chapter 2, Division 1, Title 25 of the California Code of Regulations). See Addendum # 1 for areas specifically covered by the regulations. Traditionally, regulations have been enforced by inspection at the time of the construction of the park and as a condition of granting the initial permit to operate. Some years ago, the basic statutorily fee for a park's annual permit to operate was set at \$25 per park, plus \$2 per space. Prior to 1974, regular inspections of existing mobilehome parks were carried out on a biennial basis, but with the repeal of that provision in 1973 most inspections, prior to enactment of the Mobilehome Park Inspection Program, were carried out only on a complaint basis. Complaints were reviewed at the field office level where they were prioritized as to urgency and then assigned to an inspector, who made an appointment with the park manager to inspect the problem generated by the complaint. In addition to regular inspections, HCD still responds to complaints but inspection is normally limited to the matter addressed by the complaint and is not an inspection of the whole park.

Jurisdiction:

Inspection of mobilehome parks has been carried out by either HCD or by local governments, where the local agency has agreed to assume the inspection duties from the

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Department. Today, HCD has 36 inspectors statewide, operating in conjunction with 6 district offices and two main offices, one in Sacramento and one in Riverside, who perform a variety of tasks, including inspection of farm worker housing as well as park and installation inspections. Enforcement agencies issue some 5,070 mobilehome parks with about 376,000 spaces or lots annual permits to operate. HCD retains the largest share of inspection responsibilities with about 2/3rds of the state's parks. 85 local agencies have opted to assume park enforcement duties. See Addendum # 2 for a list of these jurisdictions.

Mobilehome Park Inspection Program:

Due to increasing complaints about code violations in mobilehome parks and the lack of a regular inspection program, in 1990 the Legislature passed AB 925 (O'Connell), which established the Mobilehome Park Inspection Program. The new program mandated that HCD and local enforcement agencies, during a five year period, inspect every mobilehome park and the mobilehomes in those parks at least once during that period to assure that code requirements for parks, and the installation of mobilehomes in those parks, were being met.

An additional \$4 per space per year was added to the annual \$25 plus \$2 per space permit to operate fee to support the program, \$2 paid by the park owner and \$2 permitted to be passed through to homeowners. The program's original sunset date was January 1, 1997. Due to complaints about enforcement, the Legislature later modified the program to give enforcement agencies the discretion not to issue a notice of violation where they determined the violation was not a matter of health or safety. In 1994, delays in inspecting parks under the program, due to exigencies created by the Northridge Earthquake, required the Legislature to extend the one-time inspection program to 7 years, with a new sunset date of January 1, 1999 (SB 1663, Craven, 1994). Later, the Legislature extended the sunset date again to January 1, 2000 (SB 485, Craven, 1998).

Program Implementation:

Implementation of the Mobilehome Park Inspection Program began in 1992, with HCD developing a process known as the "pre-inspection conference". The inspector sets up an appointment with the park owner or manager up to 60 days prior to the formal inspection date to explain the inspection process, provide notices to be posted in the park, and deliver inspection booklets for the park operator to distribute to residents informing them of the upcoming inspection and what is required. Residents also receive individual notice.

Initial inspections are normally conducted no sooner than 30, or later than 60, days of the date posted on the notice. Inspectors wear blue vests with the Department insignia and carry HCD identification cards. Inspectors record all conditions in the park which don't comply with the law or regulations. Each mobilehome space and all park common areas are inspected, including recreational facilities, pools, lighting systems, streets, utility systems and homes. Inspections are, however, to the exterior of the home, and inspectors

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do not go inside. Regulations are not retroactive, so a park or installation built in accordance with regulations in effect at the time of construction are grandfathered in, unless there is a hazard to health and safety, in which case compliance with current regulations will be required.

Whenever a violation requiring correction is discovered, a notice of violation is issued, to park owners and managers for park violations, and to homeowners for mobilehome violations with a copies to the park. There are four violation categories:

Category A: Imminent hazards requiring immediate correction - will be issued on the spot and may require disconnection of electrical, gas, or other utilities. The inspector will return to verify correction. An example is bare electrical wiring or leaky gas connections.

Category B: Unreasonable risks to health and safety requiring correction within 60 days - will be issued by mail through HCD's automated notice system. The inspector will return to verify correction. An example is a faulty staircase riser or handrail.

Category C: Risks to health and safety which are not imminent hazards and which are recorded, but for which there is no time limit for correction. The inspector will not return to verify correction. An example is a home or accessory structure which encroaches 2 inches over a setback requirement.

Category D: Technical or administrative violations which are not recorded and for which no notice is issued. A example is an accessory which was installed without a permit 10 years ago, which does not present a health and safety hazard.

Re-inspections for categories A and B are conducted as soon as practical after the expiration of the time for correction of the violation. If re-inspection reveals that previously cited violations are still uncorrected, a second notice of violation is issued.

Where the park owner or a homeowner disputes a citation, an informal conference is held at their request with the enforcement agency's supervisory personal concerning the violation, failure to correct or granting of additional time to correct the violation. Within 5 days, the enforcement agency renders a decision to the disputing party to either enforce, modify, or eliminate the disputed notice of violation. Where a park owner or homeowner refuses to correct a Category A or B violation, after several notices and time to correct has expired, ultimately the enforcement agency may refer the violation to the local district attorney for prosecution as a misdemeanor.

Program problem areas. Prior to the introduction of AB 925, many mobilehome park owners and their associations were opposed to or at least uncomfortable with the prospect of regular inspections of their parks and paying the additional fees to support such a program. Homeowners' groups were in the forefront of lobbying for such inspections, citing numerous problems and code violations - such as lack of common area lighting, improper drainage, cracks and potholes in roadways, dirty laundry, pool and restroom facilities, faulty utility systems, as evidence for the need for regular inspections. But 5

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years into the program, complaints from homeowners constituted the most problems. This was because the majority of violations related to the mobilehome installations (homes) on the lots as opposed to the park common areas.

Some of the complaints to the Committee from homeowners have included claims that:

- 1) park inspectors pick on certain homeowners by nailing them for inconsequential violations;
- 2) inspectors cite some homeowners but not others for the same violations;
- 3) park managers accompany inspectors to point out which homeowners to cite;
- 4) inspectors not infrequently miss park common area violations or seldom follow-up even where there is a park violation cited;
- 5) technical violations can give park owners the excuse to try to evict or at least harass homeowners;
- 6) the cost to the homeowner of correcting violations which are cited in some cases, such as carports which jut over the lot line or oversized storage sheds which have to be removed and/ or rebuilt, can run into hundreds to sometimes thousands of dollars, money which residents of limited means are hard pressed to find.

Program renewal:

Nevertheless, a number of mobilehome owners have favored the idea of extending the program for another multi-year cycle or continuing it indefinitely. On February 18, 1997, the Select Committee held a hearing in Sacramento concerning the Park Inspection Program and its extension after 1998. As a result, Senate Bill 485 (Craven) was introduced February 20, 1997 to extend the program one additional 7 year cycle until 2007. But many mobilehome owners wanted various program "reforms" before they would support the bill. In order to assuage mobilehome park residents, many of whom remained critical about the program, SB 485 was amended in the Assembly on June 24, 1997 to give homeowners more time to correct citations, eliminate the copy of resident violations from being automatically provided by the enforcement agency to the park owner/management, delete reference to "misdemeanor" in the initial notices, and provide for a pre-inspection conference or orientation for homeowners by the enforcement agency. Subsequently, HCD announced official opposition to SB 485, and the Assembly Housing Committee made SB 485 a 2 year bill.

On November 17, 1997, another interim hearing by the Select Committee was held on the issue in Pismo Beach (San Luis Obispo County) by Senator O'Connell, and no fewer than five separate informal meetings among park owners, homeowners, HCD and local government representatives followed during the first 6 months of 1998. A number of issues and program changes were discussed at these meetings, including suggestions, among others, that mobilehome owners be afforded a pre-inspection briefing, that time limits be extended for correction of violations, and that some means be found to at least provide homeowners with information about financial assistance or resources to correct the violations. See Addendum # 3 for a complete list.

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HCD offered a number of different cost analysis projections, factoring in different inspection cycles (7 year, 10 year, etc.) lengths and different suggestions for program changes, all of which indicated some fee increase would be necessary to continue the program. See Addendum # 4 on HCD March '98 7 year cost analysis projections.

At the last of the informal meetings, park owners finally indicated they would oppose renewal of the program based upon fee increases which HCD were proposing for any prospective new program. By July, the only thing parties could agree on was to extend the existing program one more year and postpone the debate on extending the program until 1999. SB 485 (Chapter 773 of the Statutes of 1998) was therefore passed and signed to extend the inspection program only until January 1, 2000.

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Addendum # 1

The Mobilehome Park Inspection Program
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Title 25

Generally, Title 25 regulations cover the following areas relating to mobilehome parks:

- 1) Administration and Enforcement: plans, applications, permits, fees, local enforcement.
- 2) Park General Requirements: lot identification, lot lines, park roadways, lighting, etc.
- 3) Electrical Requirements: distribution systems, lot service equipment, grounding, high voltage, voltage drop, design requirements, feeder assemblies and receptacles, etc.
- 4) Fuel Gas Requirements: pipe size, meters, mechanical protection, shut-off valves, connectors, LPG, etc.
- 5) Plumbing Requirements: drains, traps, venting, pipe size, sewage disposal, shut-off valves, lot water service outlets, etc.
- 6) Fire Protection Standards: interface with local regulations, lot installations, hydrants, hose couplings, etc.
- 7) Home Installations and Facilities: foundation systems, pier structures, tie-downs, roof load, wind load, leveling, utility connectors, set-back requirements, exit facilities, certificate of occupancy, etc.
8. Earthquake Resistant Bracing Systems: permits, installation requirements, calculation and test procedures, inspection, etc.
9. Permanent Buildings in the Park: construction, electrical, plumbing, fire protection, local regulations, etc.
10. Mobilehome Accessory Structures: location, cabanas, awnings, carports, porches, stairways, ramadas, storage cabinets, fences, etc.
11. Maintenance, Use and Occupancy Requirements: manager to be available, animals, lot occupancy, lot identification, driveway access, roadways, rubbish, substandard homes and accessories, emergency information, abatement, hearings, inspection, notice, etc.
12. Conferences & Appeals: informal conferences, appeals, review of local agency enforcement orders.

Addendum #2

**LOCAL GOVERNMENTS WITH MOBILEHOME PARK
INSPECTION AUTHORITY**

COUNTIES:

Alameda
Contra Costa
Del Norte
Imperial
Modoc
Monterey
Napa

Riverside
San Bernardino
San Diego
San Mateo
Santa Barbara
Stanislaus
Tuolumne

CITIES:

Adelanto
Anaheim
Bell
Big Bear
Brisbane
Burbank
Calistoga
Camarillo
Capitola
Carlsbad
Cathedral City
Chula Vista
Coachella
Cofax
Cudahy
Cypress
Daly City
Dana Point
Desert Hot Springs
Dinuba

El Cajon
El Monte
Escondido
Folsom
Fontana
Fountain Valley
Garden Grove
Greenfield
Hemet
Huntington Beach
Indio
Irvine
La Mesa
Lake Elsinor
Lancaster
Los Alamitos
Lynwood
Marina
Modesto
Needles

Norwalk
Oceanside
Orange
Patterson
Pittsburg
Placentia
Rancho Mirage
Redlands
Redondo Beach
Rialto
Riverside
San Bernardino
San Buenaventura
San Clemente
San Diego

San Jacinto
San Juan Capistrano
San Marcos
Santa Clara
Santa Maria
Santa Monica
Seal Beach
Sebastapol
South Gate
Taft
Union City
Victorville
Vista
Waterford
Yorba Linda

Addendum # 3

Major Issues and Program Changes Discussed at 1998 Park Inspection Meetings

1. Frequency of Inspection – the program originally required parks to be inspected once every 5 years. For fiscal and other reasons, the Legislature extended the frequency of inspection to once every 7 years in 1994, and added one additional final year in 1998. Some have suggested that mobilehome parks be subject to a regular inspection every 5 years, some say 7 years or 10 years.
2. Program Fees – the current fee structure to support the program is \$4 per space per year, \$2 of which is absorbed by the park and \$2 of which may be passed through in the rent to homeowners. HCD contends the program is currently under funded by about \$ ½ million a year. The level of inspection activity is directly proportional to the amount of funding available. The more features added to the program, the greater the cost, and vice versa. It is not clear what fee increases are necessary to continue the current level of program inspection.
3. Local Government Participation – about one-third of the parks in the state are inspected for HCD by local government agencies (city or county) by agreement with HCD. Although uniform state requirements govern park health and safety, some local agencies have a marginally higher or lower level of inspection than HCD. Some favor local governments continuing to have a role in enforcing the park inspection, others say only HCD should enforce the program statewide.
4. Pre-inspection Orientation – currently an HCD inspection visits the park about 6 to 8 weeks prior to an inspection to brief the park management and give them copies of an inspection booklet to distribute to homeowners. Homeowners receive notice but are not often aware of the exact date of an inspection. To improve communications, some have suggested that HCD have an orientation meeting prior to the inspection to brief both the homeowners as well as park manager prior to inspection on what to expect. HCD has suggested that videotapes would be a cheaper substitute than full-fledged meetings. The feasibility or effectiveness of videotapes versus an inspector orientation meeting has not been demonstrated.
5. Accompanying the Inspector – often, when an inspector walks through a park on the inspection, the park manager accompanies the inspector to familiarize the inspector, sometimes at the inspector's request, with the park and park problems. Some homeowners feel that this can bias what the inspectors sees or the homeowner's who are cited, particularly if the management has a grievance with certain homeowners. Some have suggested that a homeowner representative, in parks where there is a mobilehome owner's organization, should accompany the inspector as well to voice the homeowner's point of view and to act as a liaison between homeowners and HCD in helping to resolve specific homeowner code violations.
6. Inspection Citations – there are four categories of violations – Category A - hazards requiring immediate correction; B – less immediate health and safety risks requiring correction in 60 days; C - lesser risks which are recorded but for which there is no time limit to correct; and D - technical violations which are not health and safety risks that are neither cited or recorded. Some have suggested that neither C's or D's should be cited or recorded, thus saving inspection time and money.

7. Notice of Violations – after a park has been inspected and violations noted by the inspector, a notice of violation or citation is sent to respective homeowners and park owners responsible for correcting those citations. The homeowner receives notice of his or her violations and the park owner receives notice of the park's common area violations as well as a copy of all homeowner violations. Although all violations are a matter of public record, some homeowners feel that it is unfair that park owners receive notice of homeowner violations but homeowners don't receive notice of park owner violations. Many also complain that park owners can use the notice to harass vulnerable senior homeowners or threaten them with eviction. One suggestion would permit park owners to receive copies of homeowner notices only in cases of Category A violations or after expiration of the time which homeowners were given (60 days) to correct other violation categories.

Another would require park violations not corrected after 60 days to be posted in a conspicuous place in the park.

8. Time to Correct - current HCD practice is to give homeowners and park owners 60 days to correct B & C violations. Depending upon the circumstances, HCD will give an extension of time to correct these citations, sometimes up to another 30 days. Some homeowners, particularly those who don't have the financial resources to fix the violation, may have difficulty correcting it within 60 days. Some have suggested that homeowners either be given more time initially to correct B and C violations, such as 90 days, or another 60 day extension after the first 60 day deadline.

9. Clarity of Citations – HCD issues a notice of a violation citing the violation and the code section violated. The notices are basically form letters, with the form language for particular violations plugged into the notice where applicable. Sometimes the notice is more general as to the violation – such as “damaged or bent awning support . . . in violation of Section . . .” The awning referenced may actually be a carport with a dent in the cross brace. The homeowner is not always sure what problem is being specifically cited without contacting the inspector directly. The notices also warn of criminal penalties. Suggestions have included making the notices more specific and less threatening and legalistic.

10. Low-Income Assistance - there are no state loans or grants to help low-income mobilehome owners repair health and safety violations in mobilehome parks. Some local agencies have loan or grant programs to help with housing rehabilitation, but HCD presently is not able to provide this information to homeowners facing a citation. As a result, some homeowners are not able to make the repairs and face possible eviction. Some have suggested a state loan or grant program be inaugurated, or at least an HCD list of local sources of assistance be compiled, to help low-income residents subject to park inspection citations.

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		Division			Clerical		Department			
Salary	Benefits	Admin	Supervision	Management	Support	OE&E	Admin.	Total	Per Hour	Per Min.
\$48,900.00	\$15,648.00	\$8,979.00	\$5,440.00	\$18,043.00	\$8,811.00	\$24,485.00	\$ 18,794.00	\$149,100.00	\$82.83	\$1.38
32.80%	10.49%	6.02%	3.65%	12.10%	5.91%	16.42%	12.60%			

HCD	HCD	Parks	Spaces	"A" Park	"B" Park	"C" Park	"A" Resident	"B" Resident	"C" Resident
Parks	Spaces	Inspected	Inspected	Violations	Violations	Violations	Violations	Violations	Violations
3,503	237,998	2,569	178,671	272	137,267	13,304	316	228,428	122,684

The above information is from actual costs and production statistics that were available through September, 1997.

TODAY, Seven Year Cycle

Pre. Insp.	Periodic	Report	Re-	Travel	Support	Total	Cost Per	Space Fee	Space Fee	Space Fee
Conf.	Inspection	Writing	Inspections	Time		Minutes	Space	Today	7 Years	In Statute
3.6	12.9	4.8	11.9	7.4	22.3	62.9	\$ 86.84	\$ 12.41	\$ 17.46	\$ 14.93

Option 7 (a) Seven Year Cycle, Citing and Requiring Correction of "A" Violations Only

Pre. Insp.	Periodic	Report	Re-	Travel	Support	Total	Cost Per	Space Fee	Space Fee	Space Fee
Conf.	Inspection	Writing	Inspections	Time		Minutes	Space	Today	7 Years	In Statute
3.60	6.45	2.40	1.19	3.70	4.46	21.80	\$ 30.10	\$ 4.30	\$ 6.05	\$ 5.17

Option 7 (b) Seven Year Cycle, Citing "A" and "B" Violations; but, Requiring Correction of "A" Violations Only

Pre. Insp.	Periodic	Report	Re-	Travel	Support	Total	Cost Per	Space Fee	Space Fee	Space Fee
Conf.	Inspection	Writing	Inspections	Time		Minutes	Space	Today	7 Years	In Statute
3.60	9.68	3.60	1.19	3.70	17.84	39.61	\$ 54.68	\$ 7.81	\$ 10.99	\$ 9.40

Option 7 (c) Seven Year Cycle, Only a copy of the Resident's Final Notice of Violations Provided to the Park Operator

Pre. Insp.	Periodic	Report	Re-	Travel	Support	Total	Cost Per	Space Fee	Space Fee	Space Fee
Conf.	Inspection	Writing	Inspections	Time		Minutes	Space	Today	7 Years	In Statute
3.60	12.90	4.80	11.90	7.40	20.07	60.67	\$ 83.76	\$ 11.97	\$ 16.84	\$ 14.40

Option 7 (d) Seven Year Cycle, With Automation of Inspections and Reports

Pre. Insp. Conf.	Periodic Inspection	Report Writing	Re-Inspections	Travel Time	Support	Total Minutes	Cost Per Space	Space Fee Needed Today	Space Fee Needed 7 Years	Space Fee Needed In Statute
3.60	17.20	0.96	11.90	7.40	11.15	52.21	\$ 72.08	\$ 10.30	\$ 14.49	\$ 12.39

Option 7 (e) Seven Year Cycle, Using a Video INSTEAD of the Pre-Inspection Conference/Notification

Pre. Insp. Conf.	Periodic Inspection	Report Writing	Re-Inspections	Travel Time	Support	Total Minutes	Cost Per Space	Space Fee Needed Today	Space Fee Needed 7 Years	Space Fee Needed In Statute
0	12.9	4.8	11.9	7.4	24.53	61.53	\$ 84.95	\$ 12.14	\$ 17.08	\$ 14.61

Option 7 (f) Seven Year Cycle, Using a Video IN ADDITION to the Pre-Inspection Conference/Notification

Pre. Insp. Conf.	Periodic Inspection	Report Writing	Re-Inspections	Travel Time	Support	Total Minutes	Cost Per Space	Space Fee Needed Today	Space Fee Needed 7 Years	Space Fee Needed In Statute
3.6	12.9	4.8	11.9	7.4	24.53	65.13	\$ 89.92	\$ 12.85	\$ 18.07	\$ 15.46

Option 7 (g) Seven Year Cycle, With Pre-Inspection Conference/Notification, Video and Meeting With Park Residents

Pre. Insp. Conf.	Periodic Inspection	Report Writing	Re-Inspections	Travel Time	Support	Total Minutes	Cost Per Space	Space Fee Needed Today	Space Fee Needed 7 Years	Space Fee Needed In Statute
7.2	12.9	4.8	11.9	7.4	26.76	70.96	\$ 97.96	\$ 13.99	\$ 19.69	\$ 16.84

Option 7 (h) Seven Year Cycle, Combining Options 7 (a) and 7 (c)

Pre. Insp. Conf.	Periodic Inspection	Report Writing	Re-Inspections	Travel Time	Support	Total Minutes	Cost Per Space	Space Fee Needed Today	Space Fee Needed 7 Years	Space Fee Needed In Statute
3.6	6.45	2.4	1.19	3.7	4.01	21.35	\$ 29.48	\$ 4.21	\$ 5.93	\$ 5.07

Option 7 (i) Seven Year Cycle, Combining Options 7 (b) and 7 (c)

Pre. Insp. Conf.	Periodic Inspection	Report Writing	Re-Inspections	Travel Time	Support	Total Minutes	Cost Per Space	Space Fee Needed Today	Space Fee Needed 7 Years	Space Fee Needed In Statute
3.60	9.68	3.60	1.19	3.70	16.06	37.82	\$ 52.21	\$ 7.46	\$ 10.50	\$ 8.98

Option 7 (j) Seven Year Cycle, Combining Options 7 (a), 7 (c) and 7 (d)

Pre. Insp. Conf.	Periodic Inspection	Report Writing	Re-Inspections	Travel Time	Support	Total Minutes	Cost Per Space	Space Fee Needed Today	Space Fee Needed 7 Years	Space Fee Needed In Statute
3.60	6.45	2.40	1.19	3.70	3.57	20.91 \$	28.86 \$	4.12 \$	5.80 \$	4.96 \$

Option 7 (k) Seven Year Cycle, Combining Options 7 (b), 7 (c) and 7 (d)

Pre. Insp. Conf.	Periodic Inspection	Report Writing	Re-Inspections	Travel Time	Support	Total Minutes	Cost Per Space	Space Fee Needed Today	Space Fee Needed 7 Years	Space Fee Needed In Statute
3.60	9.68	3.60	1.19	3.70	14.45	36.22 \$	50.00 \$	7.14 \$	10.05 \$	8.60 \$

Option 7 (l) Seven Year Cycle, Combining Options 7 (c), 7 (d) and 7 (e)

Pre. Insp. Conf.	Periodic Inspection	Report Writing	Re-Inspections	Travel Time	Support	Total Minutes	Cost Per Space	Space Fee Needed Today	Space Fee Needed 7 Years	Space Fee Needed In Statute
0.00	17.20	3.84	11.90	7.40	9.03	49.37 \$	68.16 \$	9.74 \$	13.70 \$	11.72 \$

Option 7 (m) Seven Year Cycle, Combining Options 7 (c), 7 (d) and 7 (f)

Pre. Insp. Conf.	Periodic Inspection	Report Writing	Re-Inspections	Travel Time	Support	Total Minutes	Cost Per Space	Space Fee Needed Today	Space Fee Needed 7 Years	Space Fee Needed In Statute
3.60	17.20	3.84	11.90	7.40	9.03	52.97 \$	73.13 \$	10.45 \$	14.70 \$	12.57 \$

Option 7 (n) Seven Year Cycle, Combining Options 7 (c), 7 (d) and 7 (g)

Pre. Insp. Conf.	Periodic Inspection	Report Writing	Re-Inspections	Travel Time	Support	Total Minutes	Cost Per Space	Space Fee Needed Today	Space Fee Needed 7 Years	Space Fee Needed In Statute
7.20	17.20	3.84	11.90	7.40	12.04	59.58 \$	82.26 \$	11.75 \$	16.53 \$	14.14 \$

Option 7 (o) Seven Year Cycle, Combining Options 7 (c), 7 (d) 7 (f) and only one reinspection at the end of 120 days.

Pre. Insp. Conf.	Periodic Inspection	Report Writing	Re-Inspections	Travel Time	Support	Total Minutes	Cost Per Space	Space Fee Needed Today	Space Fee Needed 10 Years	Space Fee Needed In Statute
3.60	17.20	3.46	7.93	4.93	8.13	45.25 \$	62.47 \$	8.92 \$	14.54 \$	11.73 \$

TRANSCRIPT OF TESTIMONY

JANUARY 26, 1999

SENATOR JOSEPH DUNN, CHAIR: Welcome to the first hearing of the Senate Select Committee on Mobile and Manufactured Homes for 1999.

My name is Joe Dunn. I just introduced myself to most of you out there and hopefully along the process this year, I'll get a chance to spend even more time with you and hear about all the issues. I am serving as the new Chair of the Committee. I also want to welcome an individual who has served on the Committee before, Senator Jack O'Connell, sitting on the other side of John. And, of course, I think everybody in the room knows John Tennyson, the longtime consultant for the Committee, who will remain in that position this year as well.

I know the Committee in the past has looked at the Mobilehome Park Inspection program, especially under Senator Craven. We're going to take another look at the issue today. Let me interrupt to introduce Senator Wes Chesbro who has also just joined us as well.

For the benefit of everybody in the audience, there is a staff background paper and agenda which I believe most everybody should have. Please let us know if you don't. It will give you almost everything you need to know about the program's history, the park inspection program. We do have other Members on the Committee. We do have some competing budget subcommittee meetings today so we may have other Members come in and out throughout the afternoon.

I realize that I am the new kid on the block, but I also know that the negotiations have been ongoing for almost two years on whether the State Park Inspection program should be continued. Last year, we had a one-year reprieve and continued it, and now this year we have the difficult task of

addressing whether it should be continued forward from this point on. Currently, the sunset provision hits January 1 of 2000.

We're going to hear today from mobilehome owners, park owners, state and local officials, others concerning the park inspection programs. John Tennyson, of course, has facilitated many informal discussions over the past year among the homeowners, park owners, HCD representatives. But the first part of this hearing will be a panel discussion by most of the representatives who've been meeting with John on a regular basis on the key issues and proposals that were brought up at those meetings. We will have representatives from the Western Mobilehome Park Owners Association, California Mobilehome Resource and Action Association, the Golden State Mobilehome Owners League, and the Department of Housing and Community Development.

While it's on the agenda, we're going to give each of those representatives approximately two minutes to give a general introductory statement and then I will ask Mr. Tennyson to present some background on each of the six major inspection issues that are going to be discussed by the panel. The panel will then have about ten minutes to discuss those six items, one by one, so that will take approximately one hour.

The second hour, we're going to open up to general testimony for the audience, as in past hearings, following again what is on the agenda. I'd ask that those of you who are going to testify in the second hour to please bear in mind the comments made during the first hour and hopefully we can reduce any repetition and just stick to new points, since obviously we want to get to all of the issues as quickly as possible.

I also want to interrupt and welcome Assemblymember Lou Correa who is joining us here as well. Lou.

So again, please keep your points as short as possible, although we'll try to give you as much time as you need, but just bear in mind let's try to avoid repetitious comments.

Unless we have any questions from the Members, without any further delay, if we can ask the panelists to come forward at this point in time. And once we get everybody seated, although I think pretty much everybody knows each other, if you would identify yourself before we start into the introductory comments, starting on my left, if we can start over here.

MR. BILL SCHWEINFURTH: I'm Bill Schweinfurth. I'm from Better Community Management and we operate a number of mobilehome parks.

MR. MAURICE PRIEST: My name is Maurice Priest and I'm the legislative advocate for Golden State Mobilehome Owners League.

MR. JACK KERIN: My name is Jack Kerin. I'm with the Department of Housing, Field Operations Manager.

MR. BRUCE STANTON: And I am Bruce Stanton, Corporate Counsel for CMRAA, California Mobilehome Resource and Action Association, which is a statewide league of mobilehome residents.

SENATOR DUNN: Okay. Welcome everybody. Everybody ready for their two-minute introductory comments? Yes. Why don't we start.

On my agenda, we've got Maury, you starting first. Okay. Why don't we go that route.

MR. MAURICE PRIEST: I want to thank Senator Dunn and Members of the Committee for having this topic on your agenda today. The inspection program is one that was supported by GSMOL several years ago with Senator Jack O'Connell's bill. Our reason for requesting inspections at that time was because of the deteriorating conditions in many parks throughout the state. In fact, park owners were complaining about the number of failure to maintain common area lawsuits that were being

brought. And we felt that our members should not have to wait until the lawsuit was proposed or started within their areas in order to correct serious violations in the parks. And so when we first introduced the bill, it was to inspect the common areas of mobilehome parks and it was in the early process of that bill when the park owners, through Western Mobilehome Association, said, wait a minute, if there are poor conditions in parks and if there are health and safety violations on individual homes, such as loose, electrical wires, or other problems that are actually on the homes themselves, shouldn't the inspectors also be able to cite violations on mobilehomes while they're inspecting park common areas? And that's a hard argument to fight, frankly. If we're interested in the welfare of the residents, which we are, then why shouldn't all potential violations that could affect their health and well-being be addressed? So the bill was amended during that process so that the inspections performed either by the cities, if they chose to assume that function, or if they did not, then the default position would be with the State of California, Department of Housing and Community Development; their inspectors would inspect parks. And when we first started, I believed that the inspection was going to be, in the first proposal of the bill, every four years, each park in the state would be inspected. And then I believe even in that initial legislation, it was expanded to five years. Since that time, because of the backlog and the amount of work involved, HCD had requested that the amount of time between park inspections even be lengthened so that we're basically, we're looking at seven, eight years now. This has been somewhat frustrating to our members who seldom see an inspection being done in their parks.

Frankly, without getting ahead of the agenda, let me just kind of close my introductory remarks by saying that we believe there is still a valid purpose to be served by park inspections. The question right now is, at what cost, and that's what we'll be focusing on or be most concerned about. We

believe that an inspection of mobilehome parks does assist our members but it begs the question. If the inspections are not going to be done except once every eight years, and if each of those homeowners has to contribute a larger amount of money to support the inspection costs, then are they really deriving a benefit from that work? And so those are some of our concerns that we have. And, of course, when the topics come up during the discussion, we'll be able to share with you some of our suggestions.

Thank you.

SENATOR DUNN: Bruce.

MR. BRUCE STANTON: Thank you. Thank you very much, Senator Dunn, for the opportunity to participate today. And I'd just like to say, as a representative of CMRAA that participated during last year's various meetings and so forth, that I am extremely pleased that John Tennyson is attached to the committee still, and I think that what he did last year was Herculean in his efforts to try to pull together the strands of all these various issues that we're going to talk about today. My voice is still recovering from the flu, so I apologize.

CMRAA's position, quite simply is, this program has to continue. There is too much good that this program has done and can do with some certain changes to be made, for sure, for the entire program to be thrown out, and we essentially don't want to throw the baby out with the bath water here. The residents simply derive too much benefit from the program. We've heard that there are concerns, and I've encountered them personally as an attorney sometimes defending evictions about park owners using HCD citations for improper harassment or eviction purposes. In general, there's some legitimate concern there, and I think we can deal with that by narrowing the focus of what the program is all about and by eliminating some of the more minor categories of violations. I also think that some of the things discussed in Committee last year, which I know we'll be getting into

today, will go a long way towards protecting the residents from many program abuse, if you will, that park owners could perpetrate without getting rid of the program altogether. And in general CMRAA favors looking at a far more narrow scope for the program in the future, one that would hopefully necessitate a zero fee increase or a very small fee increase and would hopefully free up the dollars that have been used before in a more shotgun approach to go all over the state, to be more narrowly focused where they need to be, and to also focus on pre-inspection communication and education before the inspector even gets on site. We believe the program can definitely continue to work and that we can in essence take this to sort of like a level two after the initial program has done the shotgun and gone all over the state. Now is the time to more precisely focus it.

SENATOR DUNN: Okay. Bill Schweinfurth.

MR. BILL SCHWEINFURTH: Thank you for inviting me. Appreciate the opportunity. I can barely say my name in two minutes so I've provided some written comments.

My company operates 18 mobilehome parks throughout the state, about 5,000 spaces, which means about 3,300 spaces are inspected by HCD. We have had a really good experience with the Park Inspection program. When the legislation was enacted, we did our own pre-inspection. We actually hired a retired HCD inspector to help us find violations and we've talked to the residents about it and educated them so we were really well prepared when the inspections came and we're very supportive of seeing the program continue.

I just wanted to give you some idea of what a typical, well-run mobilehome park gets from HCD after an inspection is done. This is our park in Simi Valley, a 221-space park. These pages describe the park violations, which there were almost none, and these pages describe the resident violations. All of these were very, very minor violations. They were all taken

care of and there's been no enforcement action necessary whatsoever. This was a 1996 inspection.

SENATOR DUNN: That's one park?

MR. SCHWEINFURTH: That's one park. The Department, I think, has done a much better job over the years of narrowing the scope already, although I think they can go further in exercising their discretion in the field. Two years later, this is a 242-space park, which, if I had to bet, I would say, would have more violations than this one. This one's located in the City of San Pedro. And once again, these are the park violations and these are the resident violations. So that's kind of how it works in a typical, well-run mobilehome park.

We discovered, particularly doing the pre-inspection program that we did, and then working with the residents in HCD during our inspections, that the cooperation between the manager on site and the residents actually improved because we had to communicate with the residents more about what was going to happen. Some of our managers even tried to intercede on behalf of a resident when they were being cited for something that was very minor.

We have not had any of these friction points or people trying to take advantage of other people that you see in some other record before you. In fact, I checked our records. For 3,300 spaces in eight or nine years, we have never sent one eviction notice to any resident for not following through on correcting an HCD violation. And I talked to our managers this last week and I can't count on one hand the number of seven-day notices we've sent to a resident for failing to comply, which may mean that our residents are really good about correcting their violations.

I think, even in our parks, which I consider to be very well maintained, I think the program benefited us a lot. It made us talk to the residents; I think we were able to clean up some things that we didn't understand. I

certainly understand Title XXV a little bit better. And we would support perhaps a seven- or eight-year extension of the program. We do want to make it more user friendly, particularly for the residents. I'd like to make it more user friendly for me because I don't really need to get the mail. This, and I think we have some good suggestions, some of which the other members have made to Mr. Tennyson already, and those are in my written comments.

Thank you.

SENATOR DUNN: Thank you.

Jack.

MR. JACK KERIN: Thank you. My name is Jack Kerin, Department of Housing. Thank you for the opportunity to present some information and to participate in the panel discussion today.

The Department feels that the program is a good program and has achieved some good results. In the period during the inspection program, we have cited over 500,000 violations and we have corrected many of those and many serious violations. We really do believe that the health and safety of the public and the residents has been improved as a result of this inspection program. And I also believe strongly that the correction of hazardous violations has had a positive impact on the value of the homes and the value of the park property themselves. I mean, it's pretty common to see when the park starts to go downhill or homes downhill. It has a very adverse effect on the neighborhood and on the neighbors.

During the program, we've always tried to gain voluntary compliance. One of the reasons our costs have increased is the time it takes to get a park or a space into compliance has been much greater than was anticipated in the original program, and consequently our costs have been significant as a result of that and sometimes we are forced to take legal action. We've taken a number of cases to the district attorney and processed them, and that's very

costly and very time consuming and that has all added to the cost of our operation.

As you've heard, during the course of the program, it's been an evolving inspection program, as suggestions, as improvements have been made either through legislation or through recommendations of the park owners and the residents. We have made changes in the way we issue notices and try to make them more user friendly, if you will. In certain areas, we have some legislative mandates that we do need to look at if we're going to make some additional changes, as far as who gets the notice and this kind of thing. This is something we didn't have the power to do within the Department.

I think there's other areas that we've talked about in some of our meetings mentioned here. As far as getting the information out for pre-inspection conferences, this is something we started in the very beginning with the idea, that if we can tell people what we're looking for and if we can let them know what the inspection entails, that maybe our greatest dream will come true and we'll make an inspection and there won't be any violations. We haven't reached that yet and that's really our goal, is to minimize the need to write citations. And we continue to work, and we will continue to work, on how we can get that information out ahead of time and to make it more effective.

And the other thing we need to look at is consistency, consistency between inspectors, consistency between jurisdictions, where we have local enforcement and the Department's enforcement. And really where we would need consistency, I think, is program expectations, what service do we want and what is that cost. This is, I guess, where we're at now, what can we provide and what it's going to cost to provide that.

Thank you.

SENATOR DUNN: Thank you, each of you, for your comments here, your introductory comments.

I've asked Mr. John Tennyson to give us some of the background on the six issues that we're then going to turn over to panel discussion. Without anything further, John.

MR. JOHN TENNYSON: Very quickly, last year, when I was asked by Senators Craven and O'Connell to facilitate meetings among the park owners, the Department of Housing, and the homeowner groups and local representatives with regard to these issues, there were a number of issues that came up, in addition to the question of fee increases, and they are not mutually exclusive because every time you add something to the program, it's going to drive up the costs. Of course, when you take something out of the program, it will decrease the cost.

The Department, and I believe, and I don't know what their current position on this is, but as of April 1998, the Department's position was that the program was over one-half million dollars in deficit every year. It's a self-supporting program and the fees were not adequate to support the level of inspection that the Department was conducting at that time. So the first issue will be discussion of fee increases, whether there should be fee increases, what the position of the various representatives here would be in that regard. And so why don't we start with Jack.

MR. KERIN: The Department, as you mentioned, John, has to run this program within the revenue provided by the inspection program. We've been unable to do that based on one of the items I had indicated. The time it takes for our inspections or get compliance has taken longer and has cost more than we anticipated.

One of the things we need to look at, I guess, before we do the cost, is exactly what are we going to provide. There's been talk of, we do now, we have four levels of violations – A, B, C, and D – D being technical, C being a violation but not really severe, not enough to follow up on or take any action, and B, more serious, and then of course A being imminent hazards.

Currently, we write all of these violations down. We just don't follow up on the bottom too and we don't require they be corrected. However, we do follow up on Bs and Cs – excuse me – As and Bs. But writing all those and looking at all those takes times. So if we're going to cut down, which has been one of the suggestions, focus on the more serious violations, then we can do an inspection faster. I don't know that compliance will come faster because those are the kind that end up in court sometimes and again there's the cost there. So it's tough to say what the costs will be until we really determine exactly which level of service that we're asked to provide. The key is that we're going to add something to it, a more enhanced educational program or pre-inspection orientation at the beginning. Unless we can realize some real significant time savings, it's going to cost more to do that. It certainly will be more user friendly and it's something we'd love to do but still time takes money. So I think from our point of view, we would like to have an efficient running program, that it's not oppressive, not intimidating to the residents. That's not our job. But we do have to tone that down to what we can afford, based on what the industry is willing to pay.

SENATOR DUNN: Others want to comment on the issue?

Go ahead.

MR. SCHWEINFURTH: I have several comments. It just seems to me logically, that since we're nearing the end of the first round of inspections, and if the program continues, we're going to go into the second round. At Friendly Village, Simi, you're going to go in and you're going to maybe find that many violations this time around, okay? That just seems to me to be logical, maybe not everywhere, but I think the number that you're going to find the second time around is going to be less. I think there's going to be general agreement amongst the panelists that we should dispense with writing up these minor C violations and these hyper-technical D violations.

SENATOR DUNN: Anybody disagree with that, on the panel, at least?

MR. KERIN: I don't disagree with that. I would just like to point out the pitfall of doing that is that it's very difficult to make an inspection and not write something up and then respond to a complaint from a neighbor or from a far corner or from a resident on the same issue which they seem to think is very important at that particular time, so I think we need some kind of consensus, that if it's not sufficient to write up and pursue during an inspection, they should not expect that we would pursue that on a complaint either.

MR. SCHWEINFURTH: I think that inevitably there will be some changes in technology, like those that have happened over the last 15 years, that are going to control costs.

Finally, one of my suggestions, and I think the other panelists would agree with this too, is I have no interest whatsoever as a park owner, or very little interest, in getting copies of the first violation notices that go to residents. I am interested, however, in getting copies of the second notice that says, hey, you haven't complied and you need to fix either an A or a B violation. So for the first time around, the Department doesn't have to send me any of this. And the second time around, I assume that the As and Bs are going to be again a stack like this so that's a lot of paper and postage and manpower that I think can be saved. So those are areas where I see the Department being able to save money.

The only thing that in my mind would cost more is that I'm a big proponent of having the Department do this video that we can use in the orientation meetings. It's hard to read Title XXV and understand what you're being cited for. But if you see a picture of a railing with somebody telling you this is illegal and this is how you're going to get hurt if you don't fix it, that that has a more dramatic impact. I know it costs something to

make a video; but, you know, if we had a video sitting in the clubhouse, residents could come watch it at their convenience, they'd really understand what it was they were facing and I think it would really make the process a lot more user friendly. So those would be my suggestions.

MR. PRIEST: I like Bill's suggestions too about the video. I think that'd be very, very effective in eliminating some of the apprehension and fear that some of our members have when an inspector comes over.

I think that in terms of the costs, getting right back to the financial issue, many of our members, I mean \$2 right now, the part of the cost that's passed through to them, the park owner takes \$2 of the \$4 fee; he passes through \$2 to the residents. That may not sound like a lot of money. It's an annual fee, not a monthly fee that's collected. But for some of our members who are on Social Security – widows, widowers, that type of thing – along with other costs that are increasing, you know, rents in many parks, cost of living in general, those other adjustments usually eat up more than, will eat up any increase they may have received in Social Security. So they're not really able to keep up with some of the other changes in the cost of living.

If GSMOL was going to be able to receive the blessings of our membership on a fee increase, it would have to be in the context of what changes are being made to the program. And just to follow up on some of the items that Bill mentioned, I don't see any need for, if their program is renewed, I don't see a need for the HCD inspectors to put at the top of the list a revisit to the 18 parks that Bill Schweinfurth happens to own where he says that the violations have been very few, miniscule, primarily the C & D violations.

In other words, if one way that we could keep any increased cost to a minimum, perhaps a dollar increase instead of doubling the fee. You know, you tell someone, well, it's taken us eight years to hopefully inspect every

park in the state. Now we want to double your fees so we can do it even better and they wonder what they're getting.

If there was going to be a dollar annual increase and in the first year, there would be no re-inspection of those parks that had not received any A and B violations, for example, and only C and D and those things, I think that would help focus on the areas where there are greater needs, you know, where there are more violations. I think that any of the parks that have been prosecuted as a result of HCD inspections and a referral is made to the district attorney's office, the city attorney's office, I think perhaps those that had been known and proven to have serious violations could be up for a re-inspection. In other words, narrow the scope of what you're inspecting during those first few years and then you can get back into the more routine or better-maintained parks to use those funds.

So that's what I would be trying to consider. In other words, what benefits, what improvements, have we made to the inspection program that we can actually explain to our members when we're asking them for a fee increase and not just an increased fee for the sake of continuing a program that they may not have had much experience with or they got a citation, as Bill has mentioned here, that really didn't make it clear to them that there wouldn't be follow-up on some of those first, you know, the C and D level. Some of them, when they received the violations, were of the opinion that every, single correction had to be made on that and we're worried about it, where they were going to get the funds to make those corrections without knowing that the C and D categories weren't going to be followed up on at all and really didn't have to be made.

SENATOR DUNN: Well, if I understand what you're saying, one of your suggestions, following up on what Bill had said, is that you've got a long history of few or no violations, or certainly no serious violations. Their inspection rate, if I can use the term, is much, much lower than somebody

who has a serious violation. Now they go into a heavier inspection schedule. Do I hear what...

MR. PRIEST: Right.

SENATOR DUNN: Okay.

MR. PRIEST: That's right.

MR. KERIN: I understood, though, that we would still inspect every park within whatever period of time that was established. I don't see the savings there. I think there might be a savings if, in fact, they meet a certain level that we can determine without a full inspection that an inspection is not necessary. If we have some discretion, then I think it would be a cost savings if we're just putting in year four as opposed to year two. I don't know that we're going to save a lot.

SENATOR DUNN: Okay.

MR. STANTON: I'd just like to echo the comments of both GSMOL and WMA here. This program needs some improvement, especially in terms of the video, pre-inspection communication. We're not going to be able to improve this program and keep the fees where they are, and we all know that we're facing a real crucible when it comes to fee increases. So it seems to me that the only logical step is to tone the program down, and I firmly believe we should not be inspecting parks as part of the program that have had no demonstrated history of problems. I think we can develop some regulations and guidelines which would determine which parks we go back to, and we could always leave open any parks where the residents are themselves requesting inspections because they are perceiving and experiencing the problems.

The second level of inspection should definitely be far more focused, and we should be looking at the repeat offenders and places where we had problems before, because that's more than likely where you're going to have problems again. The large institutional park owners with very well-run

portfolios shouldn't have to be inspected where we would burn the fees to do that, quite frankly.

SENATOR DUNN: Before I go on, I want to welcome Assemblywoman Ellen Corbett who has just joined us as well.

From the panelists, at least, I'm not hearing anybody saying we want to scrap the program altogether. I'm not hearing that.

Okay. Next issue.

MR. TENNYSON: The next issue involves a pre-inspection briefing which has been touched upon with references to the video. The issue here involves the problem where many mobilehome owners don't even know that there's an inspection going to take place. Even though they received a notice, they may have misplaced it, forgotten about it, maybe they didn't receive it. And the first time they – and they were out of the park when the inspection took place; they were out of town; the first time that they know about it is when they receive a citation and this has caused some consternation. So some of the ideas that were explored in some of these informal meetings included having a pre-inspection orientation meeting where all the homeowners, as well as the park managers, would receive a briefing by the inspector, or someone from the enforcement agency, to orient them as to what is expected and what is going to happen. In that context, the Department came up with the idea last year of the video as a substitute for that, although there are some people who feel, that although a video is better than nothing, it doesn't answer questions that might come up from residents.

So why don't we start with Jack in terms of where we are with the video and your views with regard to the video versus an actual, live body making a presentation.

SENATOR DUNN: Jack, before you do that, for all the attendees, does everybody know what we're referring to when we're talking about the video? Do we need any further explanations? Raise your hand.

Okay.

MR. KERIN: It's kind of interesting to be talking on this subject. When we first came up with the inspection program, it was the Department that was adamant, if you will, about having a pre-inspection conference and make sure people knew what to expect and whatever. Obviously, we didn't get quite as far with that as we thought we would. As far as the video presentation, that, I think, would be a good step.

When the program started – this is something I've been thinking about – when the program first started, because it was something new for local government, we did a series of regional meetings around the state involving local government and anybody else who wanted to attend. To augment the video, perhaps we could do those, if we can do them on a regional basis. We can't afford to go out and do a park-by-park and this kind of thing. We just don't have the time and the staff to do that. But we could do some regional meetings, perhaps with the park owners' representatives, the mobilehome organizations could attend, and then kind of take that information back as well. And I think we certainly could do that and I think that might enhance the video for those who feel that that's not quite enough. In fact, it might even help them understand the video and be able to take it back to their membership. So I might add that can be something we can do, in addition to the video, I think.

SENATOR DUNN: Okay. Further comments on the issue?

MR. PRIEST: I think it's an excellent idea for the pre-inspection briefing and I think, that even if HCD can't do the personal briefings, you know, at the park level, we do the regional level; between WMA and its member parks, GSMOL, its member parks, CMRAA, you know, its parks, I think that a video could be developed which incorporates the most frequently asked questions that their personnel have received in doing, you know, they've done hundreds of them by this time. The video can incorporate the

most frequently asked questions and the responses to those questions. It could also be made available through the parks, through GSMOL, through CMRAA's organization, and those people who could never get to a meeting because of their work schedule, could at least check out the video from the park manager's office or from the GSMOL chapter, view it on their own VCR at home, and have access to information that they probably would never be able to reach at a meeting because of their work schedule or medical appointments, you know, all the other conflicts that can get in the way. So I think that there's enough participation with the industry, both for the consumers and the park owners, that a video could be utilized very well and take care of a lot of the preliminary questions, anyway, that are asked by people who are going to be inspected.

MR. STANTON: I know, CMRAA President, Dave Hennessy, is absolutely committed to utilizing whatever we can within our organization to show the video and have our own presentations and meetings and seminars on the issue where HCD may not even be present with those tools so that we could, you know, spread the word about it.

MR. PRIEST: Because that was going to be my question. I mean, we can all come up here theoretically with a great video; but if nobody watches it, what have we done, we've accomplished nothing.

SENATOR DUNN: Okay.

MR. SCHWEINFURTH: I really have nothing further to add. I mean, there will be instances where there's no VCR to watch a video. I think, if you had one piece of paper with our story on two sides – maybe it's pink, yellow, what not – co-written by all the organizations so everybody can see, well, GSMOL is on there, you know, that must be right, or WMA, that goes through the same, common questions and the timeline is what happens when the inspector visits the property, I think that could be useful too, as simple as it sounds.

SENATOR DUNN: Okay. Any other comments? No?

MR. TENNYSON: Okay. The next issue is regarding the elimination of C and D violations. As has been alluded to, there are four categories of violations. A's, of course, are the most serious, immediate hazards, all the way down to D's, which are technical. These are classified by the Department of Housing and Community Development. They're not, as I understand it, written in stone. The CMRAA and others have proposed that C and D violations can be eliminated. One problem perhaps with that is whether or not we need some statutory changes in order to do that.

Comment?

MR. PRIEST: I would agree with the proposal to eliminate those C and D violations. It has been very confusing for GSMOL members who receive the letter and even, I know that HCD has revised those letters. They've tried to make it clear in the wording that certain things are technical violations that may not be revisited. But for many of our members, that's still a confusing point. When they get a letter saying these are your violations, their belief and interpretation of that letter is that all of them listed on the letter have to be corrected. And I think, that by eliminating C and D, that the least serious violations, that's a step forward.

MR. STANTON: Yes. If I could just read from the Violation Correction Code Clarification Handout that we got during the meetings last year, I think it's best illustrated, when you look at category types. For example, guardrails and handrails, you've got missing or loose components. That's a B. Under C, "reasonably safe and maintained but technically in violation." You know, what does that mean, not only to the average person but even to us, you know, on the bureaucratic level, if you will, that are trying to grapple with this? I think that, although it may be a task that requires some time, it's unavoidable that we're going to have to rewrite some of this stuff. I just don't see any way around that.

SENATOR DUNN: Bill.

MR. SCHWEINFURTH: I have nothing to add to it.

MR. TENNYSON: Any objection to anything?

MR. SCHWEINFURTH: No, not at all.

MR. KERIN: I have a comment. I don't think we have any problem with the C and D violations being eliminated. Our real purpose initially of including the technical ones, D were spelled out in statute that we show and how we should handle those – the C were those that were given authorization, I believe, about two years into the program to not follow up on and we could cite them and do no re-inspection.

One of the advantages of citing them was, they are judgment calls in many cases, whether they're B's or whether they're C's. And one of the things we thought about putting it on the record, at least we wouldn't have somebody coming by the next time making a different call on the same subject. However, the problem that it has caused, I believe, outweighs the benefit that we hope for, so I don't think we have any strong feelings about that.

SENATOR DUNN: Any other comments on that issue? Onto the next.

MR. TENNYSON: Okay. The next issue is with regard to who accompanies the inspector.

Currently, when an inspector goes into a park, he or she normally goes through the park about six weeks in advance, interviews, or, rather, briefs the park manager, provides the manager with handouts, which the manager can then provide to the residents, as well as the handout for the park, and then about six or eight weeks later returns to do the inspection. Sometimes the inspector requests the park manager to accompany him or her; sometimes the park manager just accompanies them.

This has created some complaints to the Committee and was the subject of discussion last year with regard to whether, in some cases, the park manager is prejudicing the inspection by pointing out certain people in the park that the manager doesn't like who perhaps have violations but ignoring other residents or perhaps even common-area violations. There was some discussion about a homeowner representative, where there is a homeowner organization accompanying the inspector, as well in those cases where the park manager accompanies the inspector. So that is another issue for discussion.

MR. PRIEST: At the roundtable discussions that Mr. Tennyson arranged with HCD and members of the mobilehome industry, one of our suggestions from GSMOL was that the residents, the homeowners living in the park, have the right to designate a representative who would be able to accompany the inspector, just as park managers frequently accompany the inspector. And the homeowner representative would not be there to tell the inspector what to do or how to do his job but to monitor what is being done. There's a lot of suspicion in some parks; they believe, that because the manager's been the only one accompanying, as Mr. Tennyson indicated, some of them think that perhaps the GSMOL president, chapter president, is being singled out for an extra special inspection or, you know, extra emphasis is being given. And I think, that by having a homeowner representative accompany them, that person can help field questions from the neighbors, from the residents in the park, and say, well, yes, all of these homes were inspected or today they covered this number. We know that they inspected park common areas as well as homes located within the mobilehome park. And so I think it's just a good policy to have both sides represented in attendance so at least they can take notes and observe for themselves what has taken place during the inspection and then be a resource to the other neighbors.

MR. SCHWEINFURTH: My view is that it ought to be a little simpler than that. I don't particularly relish having the inspector ask my manager to spend a day-and-a-half going through 300 home sites because our managers just typically tag along. And if the inspector asks a question, they try to answer it. I would think that the manager ought to go with the inspector when the common areas are inspected and the residents and their representatives, if they want, go with the inspector when the homes are inspected. I can't imagine that a manager has a whole lot to offer to the inspector when he's just inspecting a home site and a home. So I just think they ought to be kept separate, their separate responsibilities, and that's how it ought to work.

SENATOR DUNN: And, Bill, do I hear no objection to the suggestion that there be a designated resident representative to accompany the inspector?

MR. SCHWEINFURTH: When he does the home site inspection or home inspections, I have no problem with it.

SENATOR DUNN: Other comments?

MR. STANTON: My only other comment would be that, of course, if we have pre-inspection meetings, video, you've got organization on the part of the residents, you're going to be in a much better position to deal with all these issues because the residents, as they come together in a group and they're looking at their appointed designee, can say, hey, make sure you tell the inspector about this, this, and this, the communication is just going to go a long way to solving the problem. We would have no objection to either scenario there.

MR. PRIEST: Just to follow up on Bill's comment too, because some residents have requested an inspector come to the park because of a common-area concern, I think, that with our proposal, we would still want the homeowner representative to be able to accompany the inspector, even for

common-area inspections. And for the same reason, when we get to the other issue about who receives notices and how those are distributed, there's been some inequality as the law is written right now, in terms of who receives notices. In other words, the homeowners, the park residents, have never received from HCD a notice of park common areas that had been cited. And when they received their copies of these letters citing a half a dozen things that are wrong with their home and they don't receive a similar letter or a copy or even anything posted on the bulletin board advising them of what may have been deficient in the park owner's common areas, it does cause them to believe that it's been perhaps a lopsided inspection, too much focus on the residents. So I think we can overcome that and one way to do it would be to allow the homeowner a designee to accompany on the common-area inspections as well as homeowner.

SENATOR DUNN: Other comments on the issue?

MR. KERIN: Yes. The Department doesn't have any strong feelings about, you know, allowing anyone to accompany the inspector on the inspection, other than the time it takes and what I think we need to spell out the roles so we don't spend a lot more time on the inspection. Actually, it's to our benefit, if somebody is there and we can explain what we are doing; or if there's a question, we can answer it at that time, if that's the park owners' representative, the manager, which we relied on heavily over the years to explain this in detail when the notices come. And some of them are very good about it. Some choose not to accompany us at all. So it's going to be a different scenario in each park. But if there is a designated person they wish to accompany, we don't have a problem with that.

MR. TENNYSON: Jack, some of your inspectors have indicated to us in the past that, perhaps, it would be better, if nobody accompanied them because they'd be able to get the job done faster.

Do you have any comment on that?

MR. KERIN: I think that's probably true. But when I get the initial inspection done quickly we may not get the – the follow-ups may take longer. So I think there's some benefit. And there is a concern about the amount of time that is going to add to the inspection. This whole thing boils down to how many minutes it takes and how much it costs and that's one of the things we keep wrestling with.

MR. SCHWEINFURTH: I think, if we improve the orientation meeting on the front end in this communication, it might not be a bad idea not to have anybody go with the inspector but the inspector has the number of the manager, the number of the homeowners association president, or the GSMOL or CCMRA chapter head; and if he has questions, he can call that person.

SENATOR DUNN: Other comments?

Okay. Let's move onto the other issue, John.

MR. TENNYSON: Okay. The next issue was alluded to a few moments ago by Mr. Priest, and, that is, who receives the citation notice. Currently, after an inspection, the homeowners receive a notice from the enforcement agency with regard to their citations. The park owner receives a notice with regard to the park owner's citation, or the management does, from the enforcement agency, and the park also receives copies of the homeowners' violations. This has caused some consternation among the homeowners who feel that in some cases the park owners can use these notices, these initial notices, as a tool for harassment and in a few cases alleged attempts to evict the homeowners, since one of the reasons that you can evict someone from a mobilehome park is because of a violation of the law. So there have been some proposals to eliminate the notices to the park owner of the homeowner's violations. There's been talk about requiring notices of the park owner's violations to be posted, so we would ask for some comment on those suggestions.

MR. PRIEST: I think, that on behalf of GSMOL, that when we eliminate the C and D, you know, the least serious citations on the residents of the park, and they receive a violation in the A and B category -- that means hazardous or very serious -- I think, that even in that category, they should have at least 30 or 60 days, depending upon the violation. Obviously, if it's a loose wire, HCD regulates the time and makes it, you know, a shorter period of time. But on A and B, if they have time to make the corrections that they've been cited for, before a copy of that notice goes to the park owner -- as Mr. Schweinfurth said at the beginning of the hearing, he didn't really want to know all of the C and D violations. That's what this stack of papers is, you know, the least important violations that the residents may have.

So before our requested change would be, that before park owner receives any notice of an A and B violation against a resident of the park, that the resident first have had the opportunity to make the correction. It would only be the second piece of correspondence from HCD to the homeowner saying you have not yet corrected this serious or hazardous violation. It would only be at that time that the park owner would receive a copy, so that would be an amendment to the current statute.

Also, in the same light, we would request -- we're not asking for copies of the park citations in those least important categories to come automatically to the residents, okay? I think that's overkill. But in the more serious categories, if the park owner has not made the correction within the time given by HCD, our request would be that the park owner be required to post a complete copy of that citation on the bulletin board in the common areas, if they have a club house or next to the office, in a conspicuous place, just as they post the name of the mobilehome park owner and the phone number now. There are comparable state laws that exist now, but that be required to be posted on the bulletin board for 90 days so that the residents can at least become aware of some of the citations that exist and have not

been corrected. And it's not trying to increase the tensions. It's just to share some of the information that has not been given. One of the handouts that was on the back table today were the lists of, you know, the maintenance and inspection activity, and I wasn't aware of any of this information on park prosecutions because the inspection program, until we had the roundtable meetings that Mr. Tennyson arranged for, and I put some of that information in the GSMOL "Californian" and got it out because none of our members, I say none, the overwhelming majority, weren't aware of any type of active citation or prosecution of park owners. And I think the more that that information is shared with our members, the more supportive they'll be of an inspection program, if they believe it's being equally applied.

MR. SCHWEINFURTH: I'm definitely in favor of not making unnecessary copies. And like I said earlier, I don't want to receive copies of the first go-around of the citations of the residents. It's only the uncorrected A and B violations that we're concerned about, as the park operators, the people that actually own the land, that we have some notice. And if HCD wants us to get involved or we need to get involved, then we will at that time.

I guess personally, and I'm not WMA -- I'm just one operator -- I personally, because I don't think it's ever going to happen to me -- I don't have a problem with posting something on the bulletin board -- if it's an uncorrected violation after so many days, post it until it's fixed or 90 days or whatever. I'm also somebody who tries to improve the image of the industry and sometimes postings like that can be misused. People publish them in newsletters when it's maybe nobody's fault and so I'm just a little sensitive to that. But as an individual, I don't really have a problem with that.

MR. STANTON: Let me just add that it was my sense during the 1998 meetings that park owners were not as favorably disposed towards not receiving that first notice, as Bill has indicated. I'm gratified to hear him indicate that and I think we probably can move a long way down the road on

this part of it if in fact that position is co-opted by park owners because we would certainly be in favor of that.

MR. KERIN: I only have one comment.

In the case of an A violation, whether it be on the site or in the park common area, it may be necessary for us to involve the park in order to get it corrected because that's a serious violation. It'd be an imminent hazard to people so that maybe, in those rare instances, we may want to notify the park that this is a situation that exists on lot so-and-so, as well as ordered to be corrected within 24 hours or two days or whatever, depending on how serious it is. So I think we would want the option to do that when necessary but it's not something we're going to issue a 30- or 60-day notice on, that's not necessary to make those copies, but it's something that really has to be taken care of very quickly. It may be necessary for the park management to get involved to facilitate that in that case.

SENATOR DUNN: Mr. Stanton.

MR. STANTON: I think we concur with that because I think there's only been a couple hundred A violations over in the course of the program. I mean, you're talking about things like gas leaks and imminent hazards.

SENATOR DUNN: It would seem like I don't hear any real opposition to that type of proposal.

MR. TENNYSON: Lastly, the issue of whether the homeowners and/or the park owner needs more time to fix the violations. Right now, I believe the policy of the Department, anyway, is to give those that are cited 60 days and then they come back and take a look at it. And in some cases, they may extend that period if there is a good reason to do so. Some people feel, particularly homeowners feel, and those on the lower economic scale feel, that in some cases where they have a violation, such as the stairs that have to be rebuilt or a shed that has to be moved, it may cost several hundred dollars or maybe \$500 or \$600. They don't have that money, and they need

more time to find the resources to fix the problem. There have been suggestions up to 120 days, rather than 60 days, to fix some of these violations.

Comment on that?

SENATOR DUNN: Why don't we start over on this end.

MR. STANTON: This is a real important feature of the program for us, more time to comply. The mobilehome industry is such that it can be extremely difficult for mobilehome owners to find contractors who can do this kind of work. I mean, it's not nearly like general contracting, although some general contractors would do it. But mobilehome contractors tend to be a much more fluid and hard-to-define group of folks. And I know I've been involved in a number of situations where we've had repair efforts that we needed to complete with court matters pending and so forth and you just can't get it done, even if you've got the funds.

As far as not having the funds, it's far more important to have the time to line that up. And if we pulled in a CSD grant program along with that, I think the combination of more time and financial assistance goes huge strides towards solving any problems of harassment or undue pressure or discrimination that residents otherwise might say they would experience. I'd certainly be in favor of 90 days. And my experience is, when there is a re-inspection, it doesn't necessarily come the 61st day after the notice goes out. It's almost always 90 days or later. So if it sat there for seven or eight years and wasn't discovered, it gets cited. It's not going to be re-inspected for 90 days, under the best of circumstances. Why not just extend the time. I don't have any objection.

MR. PRIEST: I agree with the comments and with regard to the financial assistance, too. That's the area that we've received the most calls on, you know, people who say, hey, I'm not even arguing or objecting to the citation. I know that it's there. I don't have the funds. So perhaps trying to

find an approach or existing, local funds, perhaps, that are available or that could be modified to include mobile home rehabilitation or minor repairs, emergency repairs, would be very helpful.

SENATOR DUNN: Okay.

MR. KERIN: We don't have a problem with the 90 days. In the case of an A violation that is more serious, we can set a lesser time so we can deal with those. I wouldn't want to go much beyond 90 days because, after you get out there, after a while, you forgot that you got the notice until such time the inspector shows up, so I think there's a point where we're going to get less compliance if we extend it out too far. And in case of hardships or plans to correct it, but they just can't do it within the 90 days, the Department's always been willing to work with anybody who has a plan to correct it. We're really after voluntary compliance and not punishment.

SENATOR DUNN: Okay. Any last comments from the panel? Any questions from the other members? No?

Hearing none, I want to thank each of the panelists. It's nice to hear that we have a spirit of cooperation, at least today. Hopefully, it will continue and thank you.

And I'm going to call up, as we move to the general testimony, call up in groups of four, on the lists that I have, so that we're not moving back and forth between each and every speaker. So if I can do that as we're shifting here, Doug McCauley, Clay Harrison, Craig Biddle, and Jim Sams. If I can ask them to come forward, please.

In our attempt to stay on time while everyone is getting settled in, if you can keep your comments as short as possible, certainly, hopefully, under five minutes, we'll be able to do this fairly close to being on time. Thank you.

Okay. Why don't we start with Mr. McCauley.

MR. DOUG McCAULEY: Thank you, Mr. Chairman. Doug McCauley, representing California Building Officials.

We represent the city and county building departments, the chief officers of those departments, and about 85 of those departments actually enforce the act in most local municipalities. We did closely monitor the two interim hearings this committee was good enough to hold on this issue, although we didn't provide any formal testimony. And unfortunately, we did not participate in the roundtable meetings that Mr. Tennyson convened, not due to lack of interest, but for whatever, wires were crossed.

Nonetheless, we did convene a special task force to look at this issue, and I think we are in concurrence with a good amount of the testimony you heard from the previous panel so I'm very encouraged by that. Nonetheless, like with HCD, local jurisdictions are finding that we're not bringing in sufficient revenue to cover the costs of this program and it's a very taxing situation, poor choice of words there, because on one hand, we are bound by the nexus requirements of the Government Code to charge costs for all of our other services that cover the costs of those services. Yet, for the mobilehome program, we're having to subsidize those services from elsewhere, be it General Fund or other places. So it puts us in a very precarious situation financially and explaining to our finance directors and city managers why we need to subsidize this mobilehome program. So clearly discussions about the scope of the program, what violations we're looking at, are very relevant from where we sit.

Additionally, I was also encouraged to hear about the educational aspect of how that could be of value, and I'd like to extend an offer from our organization, since we do hold meetings on a regular basis statewide, to help facilitate those and provide some of our infrastructure and resources to accomplish that. Again, we did have a task force to deliberate this and I would like to introduce Mr. Pete Guisasola, an actual building official from the City of Rocklin, who at one point did handle the mobilehome program for

his city. Perhaps he could share some of his experiences and explain our position further.

MR. PETE GUISASOLA: Thank you, Doug.

Mr. Chairman, Committee Members, I appreciate the opportunity to speak before you. As Doug mentioned, we do really support the focus on health and safety and we think that's really where the program needs to be. We had actually wanted to focus in on the A-type violations but it sounds like the A- and B-type violations is where the majority of the people want to go with this, and I think we could probably accept that also. But again, a clear focus on health and safety would really help to get this program going without some of the burdens of extra costs.

Prevention is key. We really like the prevention aspect – the videotapes, the meetings ahead of time, the accompaniment on the walkthroughs, on the inspection walkthroughs, the idea of the park owners, you know, going along on the park owner's side of the inspection and a representative of the residents going along on the resident inspections is probably a very good idea, probably lead to better compliance and a clearer understanding of what the requirements are.

We like the five-year aspect, just mention that. Again, the cost issue, for us it's a cost issue, as Doug mentioned. We're generally speaking in the \$12 to \$20 service range on this. And we know that, you know, there's limitation as to what we can do in the way of cost but we would like to see, you know, see us come closer to the cost nexus that we have to provide for in our local jurisdictions. And part of the problem, with the fee not covering the cost, is there are some jurisdictions that will give up this program, and there have been many that will give it up to the state because mainly I believe, and our community believes, it's a cost issue.

Another area you might want to look at is to try and deal with many of these citations that, again, health and safety are fairly serious. But

sometimes an infraction approach can make it a little easier to deal with too. There are easier methods to get complaints if we're dealing with infractions for misdemeanors. Again, eliminating the C and D, we're in favor of that. And I don't think that, you know, I don't think the sharing of the notice of violations serves any purpose, other than the very serious ones that were mentioned. If there's a gas leak or something like this, I think everyone needs to know so that we can marshal the forces to get it corrected. Other than that, I don't think that it serves much of a purpose.

SENATOR DUNN: Thank you.

MR. TENNYSON: I wasn't quite clear on the fees that you were talking about, \$12 to \$20. What is that? Per space, per year?

MR. GUIASOLA: Yes. Per space, per year.

MR. TENNYSON: You feel that's a realistic fee increase? It's \$4 right now.

MR. GUIASOLA: Well, I don't want to say that that's a realistic fee; and clearly I – you know, I have a hard time adding any burden onto the scene. Most of the residents are seniors and I don't want to – I feel very uncomfortable trying to add any fee there. But we would like to just see somehow that fee match the cost in some way or get as close as possible and I think we'll have a more successful program.

SENATOR DUNN: Okay. Mr. Harrison.

MR. CLAY HARRISON: Yes. Thank you. It's good to be here today. Well, at my age, it's good to be anywhere, really.

I'm going to deviate from my prepared testimony because a lot of it's been covered already, but I'd like to comment on a couple of things that were mentioned with the panel discussion. The video, for instance, is a good idea but I see far, far too many parks without a clubhouse so there would be no place for the residents of those parks to view the video. Perhaps an arrangement could be made by someone in a regional area, conduct the

viewing, invite everyone from the surrounding area for parks that don't have a clubhouse to come to a central place and see the video that way.

On some of the violations, we have found many encroachment violations were issued. And the violation stated that the mobilehome resident had to move their home, in some cases, just inches. And that present mobilehome owner had nothing to do with placing that mobilehome in its present condition where it was encroaching. There's a case going on right now in Nevada County in that regard.

There was mention about the abuses that sometimes are enacted and we've seen that when the park owner gets the copy of the violation. Oftentimes, management does abuse and use it to intimidate, harass, and I know of at least one case where there was an eviction.

And, of course, our organization – by the way, I forgot to mention that I'm the President of Placer County Mobilehome Residents Promoting Equitable Treatment or the acronym is MR-PET. Let me see. I don't want to be saying things that are already covered. Oh, yes. We have found that in many cases the inspectors do not have the skills of dealing with the public. And we really believe that that is an area that needs to be addressed. And the funding, yes, to continue the program and to adequately fund it. However, perhaps the fees need to be increased but the expenditures need to be closely looked at. And let me see, what else.

I guess that's it, except that we're in favor of continuing the program for an indefinite period and the playing field needs to be leveled, as far as how the inspections are conducted.

MR. TENNYSON: Mr. Harrison, maybe this is a little bit out of left field. How much of a fee increase do you think representatives, rather, the members of your organization, would tolerate?

MR. HARRISON: As far as our organization is concerned, if the fees were doubled, so now the homeowners would have to pay \$4 per year, gosh,

that's such a small amount. But if there were any really serious hardship cases where there was someone that couldn't pay you \$40 for a year, our organization would devise a means of paying for that.

SENATOR DUNN: Okay. Mr. Biddle. Did I pronounce that correctly? My apologies if I did not.

MR. CRAIG BIDDLE: Craig Biddle representing the Western Mobilehome Park Owners Association.

And, Senator, let me just tell you, because you're new on the Committee, that I was one of the people that was involved with the original bill that was passed by then Assemblyman O'Connell. He wasn't a Senator back in those days. And as I recall, and he can correct me if I'm wrong...

SENATOR JACK O'CONNELL: You're wrong. (Laughter)

SENATOR DUNN: That was easy.

MR. BIDDLE: What we very carefully, and Mr. Priest and myself and Assemblyman O'Connell at that time, what we envisioned in the program at that time was to have every park in the State of California inspected, originally one in four years and then it was one in five years. And that's the way it passed, one in five years, and we agreed that it would be an inspection, not only of the common area that we owned, the parks, but also of the homeowners and we would split the fee. We would increase, we made a new \$4 fee and we paid \$2 and the homeowners paid \$2.

And I remember at the time that you said that you wanted to sunset it, and I always thought from my experience with the Legislature that it's sort of a perennial thing to keep the lobbyists alive but that was a good sunset, it was a good sunset, and we've had many hearings over the years since the 1990 period on this subject matter. And I guess our option at this point, when Senator Craven put it in the last extension for a year last year, our first option is to let it sunset. We could let it die on December 31, 1999. Our second option would be to continue the program, as is, making it some little,

minor modifications, which I don't think anybody's really suggesting, and Mr. Tennyson wasn't last year. And the third option, and I think, and this is what WMA really thinks we have to do at this point, is we have to refocus the program, refocus it not so that what we were talking about in 1999 every park within so many, whatever period it is, six or seven or whatever period – narrow the program down so it's not every park.

There's lots of parks where it's not necessary to have an inspection every five years or seven years. So the first problem, I think, in narrowing or changing – not narrowing but changing – the focus of the program is we've got to be able to identify which parks should be inspected and that's going to be tough and that's going to take a statutory change and also work with HCD. You can do it on chronic violations; you can do it on a number of complaints; you can do it on past inspections. But there's some parks that don't need an inspection every so many years, and there's other parks that maybe need it often, more often, than that. So the first thing I think in refocusing a program is to be able to identify that.

The second thing we've got to do, as we change the level of service in the inspection program – and we've talked about it in connection with As and Bs and Cs and Ds. Now granted, I think back in 1990, we were thinking we wanted everything inspected and that's why we came up with all this A, B, C, and D stuff. But what we're really looking to do now is to come up with the most serious health problems, as far as the tenants are concerned and the park is concerned, and that's the type of A, B that we're talking about. How we exactly define those will be difficult but I think we can do it. So we believe really, that within the fee structure that we presently have, if you refocus the program, you only go for the parks that really need the inspection, not all of them within a certain period, talk about A and B violations and further refine those A and B violations down, we think you can do a program;

you can do it within the budgetary restraints that we presently have, and it will be a very worthwhile, helpful program to the mobilehome park industry.

Now we have had several meetings during the last couple of years. We recently had a meeting with CMRAA, and Bruce Stanton was there, who testified earlier on the panel. And I might tell you that that panel was an excellent idea, very good program, and I'm not going to repeat a lot of the stuff that the panel did. I think that's the first time, Mr. Tennyson, we've done a panel like that and I think it's an excellent idea. If it was your suggestion, I would commend you for it.

SENATOR DUNN: I would like to publicly thank John for it because it was his idea.

MR. BIDDLE: But CMRAA, we met with CMRAA, Bruce Stanton, recently, and talked about their proposal for revising the program and just going with As and Bs and so forth and exactly how you do this and how you determine which parks will be inspected. I can tell you that generally we agree with that approach. WMA doesn't have an official position at this time but we agree with that approach. We'd like to work with Mr. Tennyson and various groups on exactly how we do that. But I think we can do that and with the spirit of cooperation that we've had in the last 12 months or 24 months now, we'd like to continue with that.

SENATOR DUNN: Thank you.

MR. TENNYSON: I'll ask you the same question I more or less asked the others. Do you have a position on a fee increase, if it is necessary, as to a limit or a position on whether it's tenable at all?

MR. BIDDLE: We believe, if you refocus the program, you can do it for the \$4 per space, per year.

MR. TENNYSON: So in other words...

MR. BIDDLE: Refocus the program. You can do it with the existing budget.

SENATOR DUNN: Senator O'Connell?

SENATOR JACK O'CONNELL: Mr. Chairman, thank you. I appreciate Mr. Biddle's recollection and it's exactly as I recall it, as well from about eight or nine years ago, and it helps to have your perspective, not only as an advocate for your organization but also as a former Member of the Assembly.

One or two things -- I think a lot of us do agree, that now that we've almost completed all of the parks at one time, and it has taken longer than Mr. Priest and you and I had thought, I think that's important for the baseline so that you know which parks you need to focus on. And I hear, you know, somewhat of a consensus that we need to focus on the folks that need the improvements.

My question is, and I hope it's not an unfair question, how often do the parks change hands? I know the Department of Realtors -- are they sold -- the Department of Real Estate tells us that in California every five years, your average person moves from one house to another, and I can see if you have new park owners coming in that, you know, perhaps they've incurred a higher, you know, mortgage and they might want to take a few shortcuts and they might not be familiar with the HCD process or the local building inspector process. Do you have a ballpark? Do these parks not change hands too frequently?

MR. BIDDLE: I can't give you a percent. Maybe Mr. Schweinfurth...

SENATOR O'CONNELL: I don't mean to put you on the spot.

MR. BIDDLE: He's shaking his head. Some of them don't -- I know some in our association, and I belong to it, represented for more than 20 years, they've owned those parks for 20 years, forever. Their parents owned it, before they did, but there's others that are corporate owned and they changed; the corporation structure changes. But I don't have a percentage. It's difficult to say.

SENATOR O'CONNELL: I'm just wondering, for those that changed hands somehow, you might want to trigger a little more frequent inspection so that you don't have a new person come in and trying to take shortcuts, potentially jeopardizing the health and safety of the residents.

MR. BIDDLE: That might be one of the things you've got to – you've got to figure out exactly which ones should be. Changing hands might be one of the criteria. You'll have a list of criteria.

SENATOR O'CONNELL: And I think those are the more serious violations, the As and Bs, which is something that we didn't know how to structure, you know, nine years ago, because we had never done that.

MR. BIDDLE: And I even had a couple of my park owners that said that they would, if you're doing the criteria, if the park owner requested the inspection. Another park owner said why would you even want an inspection? Some of them would like it. Some would like to have an inspection, for whatever reason, so that might be one of the criteria which we have to develop the criteria.

SENATOR O'CONNELL: Thank you.

SENATOR DUNN: Any other questions? Mr. Sams.

MR. JIM SAMS: I want to thank the Committee for allowing me to testify. My name is Jim Sams. I live in Olympia Mobile Lodge Mobilehome Park in Sacramento. I'm a past vice-president of a statewide mobilehome resident organization. However, I'm also speaking for other mobilehome residents in Southern California, a former vice-president, a former regional manager, and former associate manager. They have a number of parks in the area where they have worked.

We have joined together as a watchdog committee to address issues we feel are being neglected or wrongfully approached. I uphold the other members of the committee on the following issues. The feeling of the majority of the committee is as follows:

The HCD inspections should be continued with reforms that protect residents. However, there is unanimity that the program be carried out by local government or, as one committee member put it: "They know best what is really going on and why within their own area. Once HCD took over, the whole program became a disaster." And that's his quote, not mine.

Another weakness in the program is the lack of action by the district attorneys on resident complaints of violations. You realize, of course, that this comment was written prior to me seeing your printout on where these district attorneys are taking these cases so we'll have to say that in some areas, all right, not make it entirely. The committee members who were active in resident issues during their term of office, and still are, indicate that the DAs, for whatever reason, are not able or possibly willing to get involved in many areas, so we have a lack of enforcement in those areas.

In the matter of what options were considered to be best, the committee, in consultation with other mobilehome residents in Southern California, felt that option 7(j) was the one they would support because of the lesser fee stated, that in reality, or the lesser fee and the service provided under those fees. It is a fact, though seldom stated, that in reality, the homeowner in a mobilehome park pays the entire fee through increases in rent down the pike. We know that businesses are not taxed; consumers are taxed because the business passes those costs along to the consumer, same way in mobilehome parks. Committee members did in the main approve of the use of videotapes for the orientation presentation prior to the inspection of the park. However, it was felt that it would not achieve its purpose unless presented by a resident organization that could answer questions raised by the video, although it would save money, which would be a positive result.

As to the matter of park managers accompanying HCD inspectors on the inspection of the park, the committees split. The greater number of the committee, assuming that the manager would accompany the inspector,

opted for balance by having a resident organization member along also. One weakness in this case, as he has expressed, Clay expressed, is that not all mobilehome parks have a resident organization or in some cases not even a clubhouse or a place to meet. However, it was my understanding during earlier talks that HCD had said something about sending personnel where these parks did not have resident organizations.

The initial feeling, however, was that managers or park agents should not accompany the HCD inspector. As to when or whether park owners should even receive notice of resident violations, the majority agreed that only after the HCD had gone completely to the end of its procedure on violations should any notice be given. However, it was felt that notices should be given to residents of park violations as a matter of procedure.

We have already pointed out the lack of effective enforcement in some areas. I would propose to strengthen these capabilities that language be put in the statutes which would fine any manager or park owner who violated this and, of course, WMA has told us in the past that a lot of their park owners don't do these things so it wouldn't hurt a normal park owner, or a manager, who was threatening to evict or intimidate one of the residents. So if that could be added to the statutes, it would give some enforcement where none exist now, as to my understanding.

Finally, the committee overwhelmingly agreed that some sort of assistance program was necessary for low-income mobilehome owners. Some localities in Southern California are already providing some of this assistance.

Thank you for your patience, as I've tried to acquaint you with a little broader reaction to the inspection program. Although my personal feeling has been to discontinue the program because of its inequities and abuses, if legislation can come from this committee, which will address these weaknesses, I will feel more comfortable as a mobilehome park resident and I

want to say in conclusion that I was impressed by the panel. I think that it sounded very good because they were willing to work and give and take. And if the changes that I heard here are implemented, I would say that myself and the committee would feel much better and say the program should continue.

Thank you.

SENATOR DUNN: Mr. Sams, thank you.

Thank you, each of you.

Let me call up the next commentators: Don Gilbert, John Hale, Harriet White, Stan Hansen. And since we actually have five chairs up here, Rosemary Tomai. Hopefully I pronounced that name correctly as well. Each of those five to join us.

Do I have all five?

Okay. Welcome, everybody. Let's start with Mr. Gilbert.

MR. DON GILBERT: Mr. Chair, Members of the Committee, thank you for the opportunity to address you today regarding this matter.

As your agenda indicates, I'm Don Gilbert and I represent the California Mobilehome Park Owners Alliance. It doesn't indicate, however, that I'm also here representing the California Travel Park Association, the first association, the Mobilehome Park Owners Alliance, as it suggests, is an association of mobilehome parks, and the second association is an association of travel park owners, or commonly known as RV parks. Some RV parks fall within the program.

I just have a few brief comments. In general, I agree with much of what has already been discussed and suggested. I want to underscore both of these associations' concerns about a fee increase. We think, for all the reasons suggested thus far, that the program can be implemented again without a fee increase at all by narrowing the program. We agree with a lot of the suggestions by restricting the inspections to A and B violations and so

on and so forth, re-inspecting problem parks only, that kind of thing. Another possibility, I'll just throw this out as food for thought at this point, is maybe making the program a ten-year program, put it on a ten-year cycle, which might make it more cost-effective.

I want to bring up one other item with regard to notices. We think the idea is interesting, as far as posting second notices to park owners and really don't have a problem with that. We have one distinction though, however, with regard to the copies of notices for A and B violations going to park owners or residents, A and B violations going to park owners, we'd like to see that continued under the program.

That really is the balance of my comments.

SENATOR DUNN: Okay. Mr. Hale.

MR. JOHN M. HALE: I'm John Hale, Chairman of the Placer County Commission on Aging and I'm particularly concerned – I've looked at the mobilehome parks as being a community. There are the owners and there are the residents. But together, they make up the community and so that jointly they need to be concerned about the safety and that if there are safety in park matters, everybody ought to know about it. If there are safety matters, it may be an individual, but it may have an impact on his neighbors. That should be known. And so I think that is one of the basic things that I feel. I think the concept of a pre-inspection briefing is quite essential so people understand and know more about it, and I think that there are ways to do it perhaps where there is not a clubhouse. There may be ability to get some community organizations to open up a facility and set a time at the Knights of Columbus Hall or something like that, they would open up for these kinds of pre-inspection briefings. I do think that certainly the posting should come after a period of time, if it hasn't been done by the time, expiration time, then it can be posted and that the owners of the park can know what hasn't been done in a reasonable length of time.

The last thing that I'm concerned about particularly and only touched on somewhat briefly is that there are some people who will get notices who frankly are so poor that they really can't do that work and we need to think of ways that that kind of financing can be accomplished.

I had other things to say but they've already been said so I will not take any more of your time.

SENATOR DUNN: Thank you very much, Mr. Hale.

Ms. White.

MS. HARRIET WHITE: Thank you.

Chairman Dunn, Members, and Mr. Tennyson, I'm Harriet White, Placer County Supervisor.

We formed a mobilehome advisory committee, similar to those in other counties. We have a mixture of park residents and park owners who sit on or attend these meetings. A countywide survey, which the committee supported, of residents in mobilehome parks showed us that many park problems have to do with personality situations, some brought on by lack of training or caring of park managers. And, of course, there were the concerns of escalating rents and other rate increases, which I'm sure you're well aware of, but cause great anxiety to people on fixed incomes.

I believe county supervisors or a county ombudsman can help with many of the concerns park residents have about how parks operate. The real issue is keeping parks safe for the residents and, of course, for the entire community. There will never be a complete satisfaction of mobilehome residents or park owners about the HCD inspection program. However, it is necessary for resident welfare. The HCD program has been a good one. Does it need improving? I think we all agree with that. For the health, safety, and welfare of the many residents of California who live in this type of affordable housing, I request not only that you find a way to continue this program but take the input that you receive today, along with staff input, and streamline

the inspection program so it can function more efficiently and in a less threatening manner to the old and infirmed. You have the ability to protect a very important part of our population and I thank you in advance for doing so.

SENATOR DUNN: Ms. White, thank you very much.

Mr. Hansen.

MR. STAN HANSEN: Stan Hansen. My wife and I own a small luxury mobilehome park in Concord. We are certainly highly in favor of a continuation of the program. We ended up putting in a great many hand railings last year when the state came through and inspected it. Even though the cost was up to several thousand dollars, I feel that possibly it could have saved me litigation if somebody had fallen without the benefit of these handrails throughout the garden pathways.

A suggestion came up under Mr. Tennyson's chairmanship with the committee last year in the hearings, that possibly contract inspectors could do a much more economical job on this program to alleviate HCD from the burden of the park inspection so that they could be more prompt on the setup inspections and things that had to be neglected for the park inspections. Nothing came of that but I'm suggesting that possibly that could be looked into. You have the lists of the costs of the state employees in the back here which some seem quite high, and I understand those are the costs, but this would be a possibility.

We certainly favor a continuation of the program. I feel that eight years is an awful long time. I would certainly favor the five-year period of time and we would be willing to contribute more money to support the program.

Thank you.

SENATOR DUNN: Mr. Hansen, thank you.

And I'm going to guess you're not Rosemary.

MR. MARVIN RIESACK: Yes. I'm Marvin Riesack representing Rosemary Tomai, President of the Homeowners Coalition Mobilehome Parks of Tuolumne County. And before I go into some of the remarks, I'd like to mention that the Public Utilities Commission currently conducts an inspection of the in-park propane systems for which I believe there's a 25-cent-per-month or \$3-a-year charge. So I'm wondering if there is some duplication in respect to what HCD inspectors are charged. I wanted to mention that because I hadn't heard it earlier. We're one of the counties that has county inspectors and, of course, we're always concerned. As you know, state government has shortchanged the counties over the last few years, and I would like to make it a matter of record that any fee increases that do come about, that the counties get their fair share of it.

I haven't heard CPI mentioned here today, but I've done a lot of work in rent control based on CPI, and I'll throw it out to you for a thought, that if you've got to increase the fees, consider how much the cost of living has gone up in that period of time and maybe this could be some kind of a guideline as to how much fees could increase.

Another thing, I noticed that the park owners are charged a \$25 fee plus \$2 per space per year. I pay more than that to register my boat trailer with the State of California. I don't know how long that has been. I'm not trying to take a pot shot at them but I think that it's something that ought to be reviewed. I mean, people have cars that are 15, 20 years old and they're paying more than that just to register their cars.

One of the weaknesses, and I'm repeating what the gentleman said, is with the district attorney's. We've had some problems in Tuolumne County. And as you know, the state law says that the district attorney may take action to enforce violations of the Health and Safety Code, and many of these DAs are so involved with criminal prosecutions that they're very reluctant, if ever, to get involved in litigation. And, of course, a lot of the people in the

parks, they don't have the funds to go to court and sue if there's a problem, as far as the maintenance of the park and I'd like the gentleman to remember that situation.

We are wholeheartedly in support of these programs but feel very definitely it needs to continue. How long? There's been all kinds of opinions expressed but it very definitely is necessary. And I think the park owners would agree with this statement: The value of the park and the value of the individual's home is based on the condition of that park. They're in this together; there's a partnership there, ladies and gentlemen. And a lot of people in these parks have had their homes really devalued where there has been a lack of maintenance, problems, in that respect. And for the enhancement of mobilehome living – and I don't live in a mobilehome. I live in my own home in Twain Harte, but I have a lot of friends that do and I see the problems.

I was a housing officer in the Army in Germany in 1952 after I came back from the Korean War, and this is where I came from. We were fighting to get housing for the men that came back from the war over there, and I was also a housing officer at Fort Ord, California, where we had similar problems, so you know where I come from. I've had a lot of experience in the military in that respect. So you need this program. It should be mutually available to everybody. And we do have problems down there, but luckily by having the county close at hand, we can file complaints with them and they take action very promptly. We don't have to go through the bureaucracy to get things done and I wholly favor, and I think local control is a great way to go if the – I think there might be more communities, as I heard down at Pismo Beach, might be willing to get back involved in doing these inspections if they got adequate funding.

Thank you very much.

SENATOR DUNN: Thank each of you for your comments.

I want to bring you up to the last three, if I can.

MR. RIESACK: Mr. Dunn.

SENATOR DUNN: Oh, I'm sorry. Go ahead.

MR. RIESACK: I wanted to make the comment. I forgot that we're very happy that Mr. Tennyson's continuing on. He was very helpful last year and that nobody knows the industry like he does.

SENATOR DUNN: I've discovered that.

MR. COLEMAN PERSILY: Can I speak?

SENATOR DUNN: Most definitely. We have three coming up and you will be our fourth, okay? So why don't I bring up the next three: Milan Dobro, Hugh Bonds, Bettie Thompson, and, sir, please join us now as well. Okay.

Again, as you're coming forward, just a reminder, that if you can keep your comments to avoid repetition, it would be great.

All set? Mr. Dobro. You ready? Which one is Milan Dobro? There you are. You're right there in front of me.

MR. MILAN DOBRO: Thank you. Members of the panel and new Senate staff, my name is Milan Dobro. I'm here representing CMRAA, the board of director members, and Dave Hennessy. Dave has been called to sit on jury duty today, and I guess by now he's got them convicted so he can go on with the rest of the meeting here. (Laughter)

I have served as the Vice-President of the state organization for about seven years. I am currently the President of nine mobilehome parks – a mobilehome owners association in Hayward. I also serve as the advisory chairman with the City of Milpitas so I've had extensive service with mobilehome problems.

To go quickly and not repeat things that were said here today, I think the video is a very good tool to be used. There was some comment made where there may not be a clubhouse or something but I'm sure that you asked

the question: Do you have a VCR in your home, you'll find that 99 percent of people do have. So I don't think that'll be a problem. I think the cost of sending one video to each park would be the maximum amount that the HCD should spend and let the park reproduce it with their own funds or the association funds. I think that would be a simple way of doing it.

The other situation that I'd like to bring up is the time to solve problems. Now most of these mobilehomes have residents in there who are in their 70s because they started occupying these mobilehomes in the 1970s and right now it's 20 years later; they've all reached an age where unfortunately for some, they've lost their mates and they're no longer employed and they're living on Social Security. And as most of us know, the demand in our generation has been the wife mostly stayed home so her Social Security payments are very low. So I think we need to consider when there is a violation and it's a single occupant, especially a widow, that there be some funds that may be made available to help her overcome whatever violations exist, and I think this is only fair. These people of our generation don't apply for food stamps; they don't apply for welfare payments. So this little contribution to help them keep their home safe and their neighbors would be well spent by the state.

The time is a very important factor. The other thing is, I have experienced some very serious eviction attempts on residents, especially those that don't have the funds to hire an attorney, by some park owners. And I say "some". There's a lot of decent park owners. I live in one. Stan Hansen owns the park. So there's – and a lot of people are out there conscientious. But when someone is trying to improve his home and puts up a panel or something without the park owner's permission or he doesn't get a permit, he gets cited by the park owner of this particular park and they give him an eviction notice. And the only recourse he has, to either give in or, if he's got some funds, to hire an attorney to fight it. It shouldn't be that way. I

mean, minor violations should never exist to be a cause to take someone to court to evict that person. So I think eliminating the C and D violations is really important.

None of us, residents or park owners, want to live in a park where there's danger of an explosion, fire, someone that's using his electricity in an illegal manner, so we're all in favor of that being stopped. And the other thing that I would like to offer is to have the park management organize a committee with the residents to look over, if there's such a thing as an inspection, to help residents who are unable to take care of their property, to come up with some means of finding a way to do it for them, voluntary work, or maybe even ask the city for community service for some of the minor violations of the law, to send people in there to trim their grass or take care of their lawn or whatever is necessary to be done because we're coming to a time in life where there's a lot of people who are physically incapable of doing this and yet we'd all like to see our neighbors' areas look clean. I'm sure the park owners would as well. And I'm willing to follow through on this stuff, if the park owners are willing. Our organization is there to serve, say, as a mediator, if any problems come up on a minor basis, and to eliminate the extra of the HCD inspections, so those two areas.

All I'd like to say is that I agree with the statements made in the past that parks that have passed successfully with previous violations or minor violations should not be inspected immediately and that saving in not inspecting homes or parks that have shown good records would result in the lower costs. I would hope that that lower cost would allow you to continue the same fee that exists today.

Thank you very much for your time.

SENATOR DUNN: Thank you for your comments.

Mr. Bonds.

MR. HUGH BONDS: Thank you very much for having me here, Mr. Chairman, in allowing me to talk to you. Most of my concerns have been answered, and I have a few things that I want to really enforce and let you think about them, and, that is, one, when they do come in and inspect, they should have one of the homeowners along with them. I don't care if it's the association person they want to appoint or some homeowner that would like to go around with him inspecting at that time.

Along with that inspection, it was hit on also that some of the inspectors need to have a little sensitivity training when it comes to the public. And that, I think is highlighted because they have been working with the managers before they even talked to the homeowners. I think there's a lot of animosity that might be controlled by that and hard feelings between the homeowners and the owners of the park.

Other than that, that's the only two that I have.

Thank you very much for having me.

SENATOR DUNN: Okay. Thank you for your comments.

Ms. Thompson.

MS. BETTIE THOMPSON: Yes. I'm Bettie Thompson. I'm representing the mobilehome owners in El Dorado County. We have 81 mobile parks in El Dorado County and most of them, about 90 percent of the occupants, are seniors. And one of the things that I agree with WMA, which it's very seldom I do, but one thing that he was saying about cutting back on the inspections, I think, now all of the parks have rules and regulations. I mean, they slap you with that the minute you walk in the door. You have rules and regulations. One is keeping your place clean, keeping your mobile up, and so forth.

And as someone mentioned earlier on the propane in El Dorado County, that's all we have for heat in El Dorado County, is propane. And they have inspections on a regular basis. The suppliers inspect it constantly.

If anyone even half way smells something, the suppliers are there checking it out. So that part of it is taken care of.

I think, if there's going to be a cutback – and some of the parks, very few in El Dorado County, are exceptionally nice. Most of them are not run as properly as I would like for them to be. Maybe the ones that, for inspection, are the ones, if you designate the ones that have complaints. If the residents complain that we have a lot of problems in that park, maintenance-wise and health-wise, and safety-wise, then I think those are the ones that should be really taken into consideration. The parks that have no managers at all, that people just move in there, a lot of them in El Dorado County, I'm through the parks every week, and some of them, as far as I know, have never had an inspection, and they're extremely run down. If there's no manager there, then absolutely, I think they should be inspected. The ones that have managers, like I say, as far as the residents are concerned, they have regulations that they have to live up with. Very seldom do they have run-down conditions if they have a manager there because that's what the manager is supposed to be doing.

As far as those type of mobilehome parks, I don't think they need an inspection on a regular basis. But the ones that are parks where the residents cry out for help, that there are many, many abuses – and I mean safety and health and maintenance – I've accompanied two or three in El Dorado County to Small Claims Court because of lack of maintenance. And I mean big, big problems. None of these have come through HCD, mainly because, when you do it, if you file a complaint with HCD because of the overwhelming areas that you cover, the whole state, it's ages and months before anything is done. By the time an inspector shows up, you've either shot yourself or the park owner or somebody.

SENATOR DUNN: Let's hope not either.

MS. THOMPSON: But it is horrendous. There's some parks that need help very badly, and I think those are the ones that should get it. In every county, there's a lot of parks that are run beautifully and really don't need an inspector because, if there is a mobile that is run down, they take care of it. They make sure that it's taken care of when they first move in. So if you're going to cut back, I think that's where it should be cut back. But please, when mobilehome residents call and ask for help, put them high on your priority list because, believe me, they're out there and they need it.

SENATOR DUNN: Thank you, Ms. Thompson, very much.

MS. THOMPSON: Thank you.

SENATOR DUNN: And, sir, we've met before, but if you could restate your name, please.

MR. COLEMAN PERSILY: Yes. My name is Coleman Persily. I'm Vice-President for GSMOL in Northern California.

I'd like to follow what this lady said here, maintenance. I think that she's got a good idea there, that if you notice one, two, and three people, writing in and complaining about the maintenance of a park, that should be on your high priority because we have no way to force a manager to maintain unless we go through court procedures.

The next problem we have is lot lines. I'm not sure whether the lot lines are A, B, C, or D. But whichever they are, that's something we need help on. Park owners now are beginning to move in doubles. For a long time, there were singles. Park owners now are beginning to move in doubles and violating the lot lines by being doubles and putting their new homes against some other home on the left or some other home on the right. And as a result now, the park owners are doing their best to get rid of the singles and putting in these doubles and then it works hardship on the people, the neighbors. So I think, I don't know whether they're A, B, C, D, E, F, G, whatever it is, but I

do hope that lot lines should be part of your program because there's all sorts of violations and lot lines and we get that all the time.

I think, that if the inspector walks through the park with a representative, if there's an organization in the park; if there's no organization, we can't do nothing. But if there's a homeowner association or a chapter of the GSMOL or there's another organization, I think they should consult this because, if a president of a homeowner association walks around with the inspector, there's more of a reception. The person isn't afraid, the person feels he's got representation. And not only that; but when it's all done, the homeowner or the GSMOL chapter representative can go back to this person and work it out. And if he doesn't have any money, to find some way to do it, clear it up. But I think it would do good for the Department to work, to have the representative of an organization with the inspector. I think we can do a lot of good and work with him and also show people what to do.

I do think that the citations should never go to a park owner. We've had a lot of bad experience with that, not only because the park owners don't like GSMOL or a homeowner present. That isn't the only subject. It could be a park owner who wants to get rid of a single so they could put a double in. This could be a park owner who may have some animosity to some particular people living there. So I do think that the citation should not go to a park owner. We have had some serious problems with that.

And the next thing is, the citations should not have threats. The usual citation is, if you blah-blah-blah-blah, it's a misdemeanor. People think they're going to jail or something and they get panicky. Be nice about it in your citation. You know, say it's for your own good, for your own health, for your own safety; you know, we think it's a good idea for you to fix your steps or whatever you're doing. I don't think you should threaten and say it's a

misdeemeanor. Lay off that. Maybe at the last, 90 days later, or something when they're really tough or something, not at the beginning.

And the third thing that I would say is that you should work with the rehabilitation program. I don't know if you people are familiar with that. But there is in the State of California a rehabilitation program to prepare you and take care of your home – fix your roof, fix your floors, anything you want. And what they do, what the rehabilitation program does, is it puts a lien on your home, and they even get interest. So if you've got a senior citizen who's in the 60s, 70s, and 80s, and she's got maybe a home worth \$20,000, \$30,000, \$40,000, it's very simple. You get the rehabilitation program; they fix up your house. It don't cost the person a dime. And so that in your, in your citations, you should just put in there, just put in there: "In case you can't afford to repair your home, you know, call the county and ask for the rehabilitation program." Put that in there because there are funds for that because the average person 60-, 70-, and 80-years-old don't care if the house sells for less or the kids get a little less money. So I think that's a way to overcome people who can't afford...

Thank you.

SENATOR DUNN: Thank you.

Comment? I'm sorry. Ms. Thompson.

MS. THOMPSON: Pardon me. Yes. Now say, for instance, like I say, I see horrible situations out there every week. Say, for instance, a park owner has been cited. What is the penalty; what happens if they still do nothing? What happens?

SENATOR DUNN: John, would you comment on that?

MR. TENNYSON: Well, basically, if it gets to that point where the park owner refuses to fix the violation, the Department of Housing can request the district attorney, or does request the district attorney, to take a criminal action in court and prosecute the park owner for that violation.

They can also pull the permit to operate and close the park. Of course, that is not a solution because, when you close the park, then everybody is evicted, essentially, with the proper notice.

There has been at least one case in Los Angeles County where a park owner went to jail over a very serious violation involving sewage spillage and a backup of sewage into some of the homes, as well as environmental violation in terms of sewage running out of septic tanks and into a nearby stream next to the park. But ultimately, they don't like to go that far because, if a park owner ends up in jail, usually the park is closed and that is not a solution for the homeowners, but ultimately that's what can happen.

SENATOR DUNN: Can I turn to Senator Chesbro?

SENATOR WESLEY CHESBRO: I hate to interrupt the conversation. I just wanted to say briefly, Mr. Persily, I believe you're a resident of my district.

MR. PERSILY: Oh, you're Mr. Chesbro.

SENATOR CHESBRO: That's right.

MR. PERSILY: Everybody speaks of you and now I'm lucky to meet you.

SENATOR CHESBRO: I wanted to welcome you and just say that not only did I discover, as I travel that huge district of seven counties, the many, many mobilehome parks that exist – I knew the ones in my county but I discovered the ones in the other six counties – but looking at this list of violations, there's a considerable number that are in the seven counties in my district, so this has been very enlightening, and I appreciate your suggestions and ideas and expect to be working closely with you.

MR. PERSILY: Thank you very much.

SENATOR DUNN: One last thing?

MR. DOBRO: Yes. I'd like to make a comment about what Mr. Persily has said about the moving in of the newer mobilehomes. I'm facing

that problem in some of our parks in Hayward and I don't know whether HCD is getting the requests, when they put these homes in, to make sure they're not occupying more space than they're allotted. But there's one home in particular where they got their fence right up against the driveway. The person can't get the door open to allow his mother to get out and get in the wheelchair, so I'm going to be pushing that notice to HCD inspections to find out whether they are in violation of that. I just wanted him to know that.

SENATOR DUNN: Assemblyman Correa.

ASSEMBLYMAN LOU CORREA: The notices of violations for the residents, are you proposing some solutions as well in each one? And if you are, would you say some of those solutions possibly come from the association of the residents or out of the inspection agency itself?

MR. DOBRO: Well, the inspection agency in its notice, I think, should just be a little bit nicer, not scare people with misdemeanors and this kind of stuff. That's the first thing.

And the second thing, if, for example, if there's an organization, like a homeowner association or a GSMOL chapter, to notify us so that we can go over and work on it. Maybe, for example, I've been a president of a homeowners association. I've become like the grandfather. I mean, people come in with all sorts of problems. If I went in with a park inspector and found this woman had some problem and she couldn't afford the thousand dollars, or whatever it is to fix her fence or roof, whatever it is, I would find a way to get it together to take care of her. I think, by taking the presidents of the homeowner associations, or chapters, with them, these people, whoever they are, I've been working with these people and trying to help them -- that's why they're presidents -- they can show them what to do about it. Well, this way, the person gets a citation and is scared and runs in the bedroom and starts crying, what do I do?

Does that kind of answer your question, sir, or not?

ASSEMBLYMAN CORREA: Kind of, yes. Thank you very much.

SENATOR DUNN: Any other questions or comments from the Members?

I'd like to thank all of those this afternoon providing general testimony. I'd like to thank the panelists as well.

Just so everyone knows, we expect to get a report out of the Committee within about a month. I have asked that Mr. Tennyson continue his meetings with all of those interested in this issue. As I commented earlier, I liked to hear the spirit of cooperation today. I hope everybody was honest and straightforward about that because we hope to seize upon that expression of cooperation today. And for all those who are in attendance but did not testify, thank you for being here as well today. Without your participation, we couldn't make this process work as well.

With that, the meeting is adjourned and thank you again.

MR. DOBRO: Thank you.

MS. THOMPSON: Thank you and welcome aboard.

SENATOR DUNN: Thank you very much.

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RECOMMENDATIONS

As the result of the testimony from the January 26th hearing, committee recommendations for continuation of the park inspection program are contained in the following "Concept Bill: Phase II."

CONCEPT BILL for MOBILEHOME PARK INSPECTION PROGRAM - PHASE II

Time Period:

Second program cycle to commence on January 1, 2000 and sunset on January 1, 2007.

Task Force:

The Department of Housing and Community Development (HCD) shall convene a task force of representatives of mobilehome park owners, mobilehome owner organizations and local government building officials at least once a year to provide input to the department for solving problems involving, and make recommendations to the to the department on the conduct of, the Mobilehome Park Inspection Program.

Focus:

Focus of the program shall be on inspection of mobilehome parks which:

- 1) are sold to a new park owner or resident group (not including transfer by gift, devise, or operation of law, sale between or among joint tenants or tenants in common, transfer by a partnership to any of its partners, or transfer pursuant to probate).
- 2) had the most serious, or a substantial number of serious, health and safety violations in the first inspection cycle (1991-99), as determined by the enforcement agency.
- 3) have a substantial number of complaints to the enforcement relating to serious health and safety violations in the park, as determined by the enforcement agency.

Notice of Inspection:

By law, enforcement agencies to provide individual notice to residents and park owner of an impending inspection (as is current HCD practice).

Orientation:

Enforcement agencies shall provide a pre-inspection orientation to homeowners and residents of the park, no less than 30 days prior to an inspection, through coordination with the park management and, or, homeowners association representative(s) in the park, if any, and with the use of a video tape, or where practicable through the use of a live presentation by the enforcement agency.

Accompanying the Inspector:

An inspector shall notify the representative(s) of the homeowner's association in the park, if any, at least 30 days prior to the inspection of the inspection date(s) and the right of the homeowner's association representative(s) to accompany the inspector on the inspection.

Violation Categories:

HCD shall have one year to "formalize" the categorization of A, B, C & D violations. In the meantime enforcement agencies shall be given legislative authority to disregard so-called C & D violations, which shall not be cited, recorded or required to be corrected, and HCD shall issue an information bulletin to enforcement agencies advising them that C & D violations are not to be cited, recorded or required to be corrected. During the one year period, HCD convene at least one meeting of the Mobilehome Park Inspection Program task force to provide input to the department on the categorization of specific violations. At the end of the one year period, HCD

Phase II Park Inspection Concept Bill

shall submit a report to the Legislature on the formal categorization of violations. Thereafter, the Legislature may wish to consider decriminalizing C & D violations altogether, based upon the formalization of the categories.

Time to Fix:

With the exception of a violation that constitutes an imminent hazard, defined as an immediate risk to life, health, or safety and requiring immediate correction (A violation), in issuing a notice of a violation, the enforcement agency shall provide that the correction of the violation shall be made within 90 calendar days of the postmarked date of the notice. Other than for imminent hazards (A's), if the enforcement agency determines there is a valid reason, including but not limited to weather conditions, illness, availability of repair persons, or availability of financial resources, why the violation has not been corrected, the agency may extend the time for correction up to 30 days after the initial 90-day period.

Citation Notices:

Notices of violations shall be served by first-class mail or personal delivery by the enforcement agency to individual mobilehome owners or mobilehome park owners who are responsible for their respective violations, but with the exception of notices of violations that constitute an imminent hazard, defined as an immediate risk to life, health, or safety requiring immediate correction (A violations), copies of notices of violations (B violations) by mobilehome owners discovered pursuant to this section shall not be furnished by the enforcement agency to the mobilehome park owner, operator, or management, unless the violations have not been corrected by the homeowner upon re-inspection after the initial 90-day period, or, where a 30-day extension is granted by the enforcement agency, upon a second re-inspection after the 30-day extension, whichever date is applicable. It is the intent of the Legislature that all notices of violations be specific as to the particular violation and written so that average laypersons can understand what is being cited.

Financial Assistance:

HCD shall develop a list of local agencies which have home rehabilitation or repair programs for which mobilehome owners residing in mobilehome parks may be eligible. The list shall be provided to homeowners who receive citation notices and who reside in those jurisdictions which have such programs for which mobilehome owners may be eligible. (HCD or the Select Committee to also explore the possibility of separate legislation to create a state program to provide financial assistance to very low income mobilehome park residents to help repair and correct mobilehome inspection violations).

Records:

Enforcement agencies responsible for the enforcement of health and safety code requirements in mobilehome parks shall maintain all inspection records until January 1, 2007.

Legislative Report:

HCD shall provide detailed reports to specified legislative committees on the progress of Phase

Phase II Park Inspection Concept Bill

II by January 1, 2003 and January 1, 2006 and shall have the authority to require data on the program from local agencies which enforce health and safety requirements for mobilehome parks in order to complete the legislative reports.

APPENDIX

(Related Materials and Information)

JANUARY 26, 1999



MOBILE/MANUFACTURED HOME PARK MAINTENANCE INSPECTION ACTIVITY

**Department of Housing and Community Development
Division of Codes and Standards**

**Prepared for the Golden State Mobilehome Owners League
September 16, 1998 Roundtable Discussion**

The examples below represent a sampling of mobilehome park maintenance inspection cases where serious enforcement action was required to obtain correction of cited violations of applicable health and safety codes. These cases are described here to help illustrate the necessity, and the effort made, to insure safe living environments in all mobilehome parks. They are listed in alphabetical order, by park name.

Anchor Trailer Park (44 Lots) and Sportsmans' Park (23 Lots), Fort Bragg, Mendocino County.

These two parks are adjacent and were owned and operated by the same person. When routine maintenance inspections were conducted, 431 violations were found in the 44-space Anchor, and 185 in the 23-space Sportsmans'. The case was submitted to the Mendocino County District Attorney in December 1995, because the owner refused to correct the violations. With the DA's aggressive assistance, all the violations in the two parks were corrected by February 1997. The DA was in the process of negotiating fines of up to \$200,000, when the park owner was fatally shot by a former park employee. The fines were eventually reduced and the park owner's estate paid almost \$9,000 for inspection and other enforcement costs.

Arlington Heights Trailer Park, Taylorsville, Plumas County, 39 Lots.

After prolonged efforts, correction of numerous health and safety violations in Arlington Heights Trailer Park have been made. The park was initially cited for 135 violations, including various electrical hazards, an open sewer inlet and other plumbing violations, and dangerous conditions in substandard rental units owned by the park operator.

After five notices of violation, as case for filing with the Plumas County District Attorney was being prepared serious correction activity commenced. When the District Representative conducted a final reinspection of the park, she found the last of the violations had finally been corrected.

Bakersfield Travel Park, Bakersfield, Kern County, 100 Lots.

The owner of this 100 space mobilehome park was cited in 1997 for operating a mobilehome park without a valid Permit to Operate and for a variety of health and safety problems. Most of the violations were related to the construction of 24 new spaces in the park with no inspections or permits. After several warnings a complaint was filed with the Kern County District Attorney's Office. The District Attorney's office advised the park owner, he had until January 15, 1998 to obtain required inspections and permits and pay delinquent fees. The park owner did not respond. The Kern County Superior Court issued a "*Bench Warrant*" for the arrest of the park owner and set bail at \$4500.

On April 16, 1998, the Kern County Sheriff's Department arrested the park owner at the mobilehome park. Prior to being taken away, the park owner paid delinquent fees in the amount of \$6,250.00 and \$1,016.00 permit fees for the construction of the additional 24 spaces. Currently, the park is in compliance.

Bloomdale Mobile Home Park, Olivehurst, Yuba County , 17 Lots.

The initial park maintenance inspection resulted in citation of 163 violations in this 17-space park: 71 park and 92 resident violations. Notices of Violations and reinspections resulted in all but 4 of the resident violations being corrected, but 28 park violations remained. The violations included many serious electrical hazards and open trenches within the park to compensate for the inadequate drainage grading.

Because of the park owner's failure to eliminate the hazards, the case was referred to the Yuba County District Attorney in November 1997. In February 1998, the DA wrote the park owner giving him six weeks to make corrections. When the Department's subsequent reinspection found violations remaining, a warrant was issued for the park owner's arrest. The DA has thus far been satisfied enough to stall arrest however the situation is being monitored.

The owner of this park also owns and operates Gumtree Mobile Home Park in Yuba City, Sutter County. The Department had initially encountered a similar situation at this park but substantial improvement has been made.

Bodega Bay Park, Bodega Bay, Sonoma County – 15 MH Lots/40 RV Lots.

While conducting a routine maintenance inspection of the park, the inspector detected the odor of escaping LP gas and investigated. He contacted the park manager who called the LP gas company, which immediately sent a representative to investigate and locate the source of the problem. The gas company dug up a suspect line and found and repaired the leak. A gas pipe riser at an occupied lot was the source of the leak. The problem, which might have had serious consequences for the mostly elderly residents of this park, was resolved the same day.

Camellia Mather Mobile Home Park, Sacramento, Sacramento County , 32 Lots.

The inspector received a complaint of sewage running out of the septic tank lid. When he confirmed the complaint, he ordered the park to correct it immediately. The park had the tank pumped, but within two weeks, the problem reoccurred.

The park's owner had died last year, and his sons had not defined who would assume responsibility for park matters, so there was a delay in reaching a permanent solution.

The tank should not have refilled in just two weeks, so it was evident water was leaking into the tank from another source. The area around the tank was excavated, and a cracked water line was found to be leaking and filling the tank. The leak was repaired, and the tank is now functioning as designed. With persistent follow-up and directives from the Department, a permanent solution was obtained.

Capitol West Mobile Park, West Sacramento, Yolo County , 67 Lots.

Capitol West Mobile Park received its first mobilehome park maintenance inspection in November 1993 and was cited for a total of 534 violations, 60% of them park violations. Only a fraction of these remained after the Final Notice of Violation, but several of these were considered serious enough to pursue with the Yolo County District Attorney's Office.

The inspector believed the park owner would correct the violations, it informed of the consequences, so an enforcement letter was sent to the owner in June 1995. The violations were corrected and the file was closed, without the need for further enforcement action.

Deerhorn Lodge, Phillipsville, Humboldt County, 33 Lots.

Progress is being made in correcting the long-standing problems in this older mobilehome park. In May 1998, the Humboldt County Superior and Municipal Court granted a preliminary injunction against the owner-operator of Deerhorn Lodge. The injunction included scheduling violation corrections in 30-, 60- and 90-day intervals.

When the District Representative conducted an inspection to determine compliance with the 30-day correction order, she found all but 2 had been completed, and a permit had been obtained for one of the outstanding. The DA's Office has agreed to allow the park owner until the 60-day correction deadline to correct the items. If all 30-day and all 60-day items have not been completed by the 60-day deadline, the DA's Office will request action by the Humboldt County Superior Court to compel compliance.

Clark's Trailer Park, Willits, Mendocino County , 12 Lots.

During the initial maintenance inspection 150 violations were cited. Sixty-six were park violations, primarily electrical and fire safety violations. After discussions with Department representatives and three Notices of Violation, no substantial progress was made. The case was referred to the Mendocino County District Attorney for action.

Clark's Trailer Park was one of several parks in Mendocino County referred to the DA. Prior to commencing legal action on this case, the DA had succeeded in a substantial enforcement action at another mobilehome park in the county, resulting in the park owner correcting all violations and paying a substantial monetary penalty. Shortly after the DA contacted the owner of Clark's Trailer Park a follow up inspection conducted in August 1998 revealed that all violations had been corrected.

Fairfield Mobilehome Park, Fairfield, Solano County , 30 Lots.

In April 1994, the Department received an anonymous complaint alleging electrical surges in the park. On investigation, the inspector identified and cited the park for electrical system overhead conductors exposed to the elements, power poles that were loose or broken at the base, and a PG&E-verified unacceptable variance in voltage ranges. The park was ordered to obtain a construction permit and effect corrections. Six days later, the park manager told the Department repairs would begin the next day and would be completed within two weeks.

Just over a month later, the park owner provided plans for proposed corrections. The plans were found to be unfeasible and inadequate, and the owner was told to resubmit the plans the next day with necessary changes. A week later, when acceptable plans had not been submitted, the matter was referred to the Northern Area Legal Desk for further enforcement action.

A package was prepared to refer the matter to the Solano County District Attorney, but placed on hold because acceptable plans had been submitted along with a request for an alternate approval. The alternate approval was granted, a fixed time-table was established for corrections, and ultimately all correction were made.

Fitzimmons Enterprises Mobilehome Park, Rosamond, Kern County, 18 Lots

After several attempts by the Department to gain compliance a complaint was filed by HCD with the Kern County District Attorney on March 30, 1998, relative to violations in this park. The maintenance inspection revealed 151 health and safety violations and despite notices there was no significant progress. The violations cited included fire hazards, open sewer drains, junk abandoned vehicles, unvented gas water heater substandard/unsafe homes, exposed live electrical wiring, accumulation of refuse, rubbish, waste, combustible flammable waste, trash, animal feces, rat infestation, lack of trash containers, mobilehomes

rented without insignia of approval, etc. The case was filed and the Kern County Superior Court promptly issued a warrant for the arrest of the park owner, William Fitzsimmons.

On April 9, 1998, the park owner was placed under arrest, on a seven count misdemeanor charge, and bail set at \$5,000.

On April 21, 1998, staff revisited the mobilehome park in preparation for the arraignment scheduled for April 22. The park was still in the same substandard condition. On April 22, Mr. Fitzsimmons was arraigned on seven misdemeanor charges in the Kern County Superior Court. This case is currently pending as a "running trial," with revisits to the park every 30 days to determine progress.

E-Z Livin Mobile Estates, Willits, Mendocino County , 27 Lots.

After multiple violation notices and an enforcement letter to the park owner, numerous violations remained in the park, including electrical, gas, plumbing and fire-safety hazards, with the potential to cause serious injury and/or property damage. The case was referred to the Mendocino County District Attorney in December 1995. In reviewing the case, the Deputy District Attorney responsible for prosecuting the case asked the Department to write the park owner, telling her the case had been discussed with the District Attorney's office and giving her one final opportunity to make the corrections. The letter was written and all violations were corrected.

Fortuna Trailer Village, Fortuna, Humboldt County , 43 MH Lots, 5 RV Lots.

When the initial maintenance inspection was conducted 211 health and safety violations were cited: 74 park and 137 resident violations. When reinspections were conducted not only was there poor compliance but many new violations. Exposed electrical conductors, unapproved wiring, unsupported gas lines, sewage leaking onto the ground, and combustible rubbish and debris on the grounds of the park were among the problems cited.

In spite of extensions granted and additional notices there remained 99 park violations and 31 resident violations on the final inspection. In January 1995, a package was prepared to refer the case to the Humboldt County District Attorney. The remaining violations included inadequate electrical service to lots, exposed electrical parts, ungrounded electrical service equipment, electrical cable subject to physical damage, unsecured electrical equipment, inoperable fire-suppression water outlets, an unsupported main gas supply line, unapproved gas piping, improperly-supported gas meters, lot without identification for emergency-response personnel, and other miscellaneous safety violations. The park owner was advised of the pending District Attorney referral.

DA involvement became unnecessary. Shortly after becoming aware of the District Attorney involvement all violations were verified to have been corrected.

Hacienda Vasquez Mobilehome Park, Aqua Dulce, Los Angeles County, 65 Lots.

In April 1994, the owner of this Los Angeles County park was cited for approximately 153 health and safety violations including exposed electrical conductors and equipment, and failing septic tanks, leach lines, lift stations and open septic tanks. Raw sewage was noted on the park grounds and drainage of raw sewage onto adjacent properties. It was learned from a resident that a child had recently fallen into one of the open septic tanks as a result of the lack of septic tank lids.

The park owner was cited to immediately correct all hazards. After several attempts to gain compliance without success, the Department requested the assistance of the Los Angeles County District Attorney's Office. The Los Angeles District Attorney filed a "*felony child endangerment*" complaint with the Los Angeles Superior Court in Lancaster and the Superior Court appointed a "Receiver" to oversee the mobilehome park and to bring it into compliance. Even after several attempts by the Court appointed Receiver to correct the long standing violations and acquire the necessary funding to complete the work, the Receiver was unable to complete corrections. The Department left with no other alternative, subsequently revoked the Permit to Operate for this mobilehome park.

Los Angeles County is presently financially assisting the remaining residents in relocating their homes to other area parks. On April 25, 1997, the park owner was sentenced to the California State Penitentiary to serve a four (4) year jail term.

Hangtown Mobile Home Park, Placerville, El Dorado County, , 30 Lots.

In January 1992, Department inspectors verified that raw sewage was surfacing in the roadway of this park and an immediate correction notice was issued. When the reinspection was conducted the inspector found that nothing had been done to correct the violation.

In April, the park's Annual Permit to Operate was suspended. Within a few days, the park owner requested a hearing, told the Department the sewage leak had been temporality stopped, and reported to having hired a civil engineer to design a new septic system for the park. Onspecion revealed sewage continued to surface in the roadway and it was running into a nearby creek. An order was issued in conjunction with the El Dorado County Environmental Health Department, to correct this condition.

Plans were submitted three times for new septic system designs before an acceptable plan was proposed, and a permit was issued. Work was again stalled and the park's property manager was informed that HCD submitted the case to the District Attorney. Shortly thereafter a permanent correction was made and no further problems have been reported.

Hidden Acres Trailer Villa, Vacaville, Solano County , 50 MH Lots, 2 RV Lots.

When the initial mobilehome park maintenance inspection was conducted in this park there were 546 violations cited for correction; 188 of these were park violations. After three violation notices, all but three park violations and seventeen resident violations had been corrected. The park violations were hazardous and included a lot service with inadequate overcurrent protection, improper grounding at another, and plumbing fixtures without required "P" traps. Some of the resident violations were also serious health and safety risks, a unit that did not pass an electrical ground test, insufficient fire-suppression clearances, and an accumulation of flammable rubbish and debris.

A package was prepared to refer the case to the Solano County District Attorney. However, it became known that the case was being referred and all violations were corrected without further action needed.

Huron Trailer Park, Huron, Fresno County, 21 Lots.

In September 1997, staff cited 297 health and safety violations at this park. The park owner was cited and failed to make a reasonable effort to bring the park into compliance. The case was submitted to the Fresno County District Attorney's Office. The DA contacted the park owner requesting a meeting with the park owner. The owner was advised that failure to comply would result in the filing of a civil action for injunctive relief, including restitution and civil penalties of \$2500 for each violation.

Staff conducted a reinspection on April 1998. The reinspection revealed the park owner had corrected all outstanding violations as instructed by the District Attorney.

Indianola Park, Eureka, Humboldt County , 70 Lots.

When a routine mobilehome park maintenance inspection of Indianola was conducted in February 1996, the Department cited 497 violations, 69 park and 428 resident violations. The park violations included serious electrical and fire-safety-clearance violations. Although most of the violations were corrected, two dangerous park violations remained even after three Notices of Violation and an enforcement letter. The case was submitted to the Humboldt County District Attorney. The park owner's attorney was informed of the pending involvement by the District Attorney.

The violations were soon corrected precluding action by the District Attorney.

Lakeview Haven Resort, Upper Lake, Lake County – 5 MH Lots, 40 RV Lots.

Department inspectors cited the park owner for overflowing septic tanks causing sewage backup into the park showers and sewage on the ground around the shower building. In addition, a water leakage draining into the septic holding tank and extension cords providing electrical service to several mobilehomes and recreational vehicles were cited.

When the conditions had not been corrected after reasonable notice, the case was referred to the Lake County District Attorney. Enforcement of the corrections was delayed when the park was sold to a new owner. However, within a short time, the new owner eliminated the hazards and cleaned up the park.

Mac's Trailer Park, Vacaville, Solano County , 24 Lots.

This is an older mobilehome park that had been allowed to deteriorate. During the park maintenance inspection, 250 hazardous and potentially hazardous conditions were identified, including broken sewer vents, gas lines without shutoff valves, electrical hazards and potential flooding problems. After the first Notice of Violation, the reinspection revealed 291 violations. When repeated notices and discussions with the park owner failed, the case was referred to the Solano County District Attorney.

The DA found it necessary to file an action, that resulted in correction of all violations, including a new, underground electrical system for the park, and a substantial monetary judgment against the owner. In June 1998, the Department was reimbursed almost \$6,500 for extraordinary enforcement expenses incurred because of the owner's delay in making corrections.

Madeline Service Center, Madeline, Lassen County , 12 Lots

Transmittal of the Department's case against this mobilehome park to the Lassen County District Attorney brought quick closure to a serious problem. The Department's District Representative had inspected the park and cited 85 problems, including electrical, plumbing and fire-safety violations in this small park. The owner assured the inspector the violations would be corrected forthwith, most of them through new construction. After continued promises of correction and subsequent delays, the matter was referred to the District Attorney for action.

The District Attorney was very responsive, calling the owner in and advising her of the consequences of failing to act. A bench warrant for her arrest had been issued. The DA advised the owner that the warrant would not be activated provided all violations were corrected and inspected within forth-five days. The violations were all corrected within the forty-five day limit.

Mobile Home Estates, Santa Rosa, Sonoma County , 136 MH Lots, 8 RV Lots.

394 violations were cited during the initial mobilehome park maintenance inspection of this relatively large park. About 100 were park violations. Upon reinspection only a few park violations remained. Those few violations, however, were serious, with gas and electrical equipment subject to damage by vehicles, a gas meter under a mobilehome, and an inadequate fire-safety clearance. Only four technical resident violations remained.

When it was apparent no effort was being made to correct the park violations, the matter was submitted to the Sonoma County District Attorney. Through the efforts of the DA and the Department, an alternate approval was granted to correct separation violations, necessary permits were obtained, and a final inspection cleared all remaining violations.

Paradise Cove Mobilehome Park, Malibu, Los Angeles County, 262 Lots.

The park maintenance inspection, conducted in 1995, revealed numerous health and safety violations including a failed sewer system. After several unsuccessful attempts to gain compliance the Department requested the assistance of the Los Angeles County District Attorney's Office.

The District Attorney filed a 25 count misdemeanor charge of; "Illegal Discharge of Sewage", "Illegal Deposit of Offensive Substances", and "Failure to Notify of Sewage Discharge". The case is currently pending.

Ramblin Rose Mobile Park, Oroville, Butte County , 14 Lots.

When the mobilehome park maintenance inspection process was completed in August of 1994, there was only one serious health and safety violation remaining in the park, but it was a hazardous condition. The overhead conductors hung less than 8 feet above the metal roofs of mobilehomes on eight lots, endangering anyone climbing to, or walking on, the roofs.

The case was presented to the Butte County District Attorney, who wrote the park owner explaining the consequences for failure to act, which included filing for unlawful business practices. Although the corrections still took some time because of the engineering, permit, and construction processes, work commenced and the conductors were raised.

Safari Mobilehome Park, Murphys, Calaveras County , 72 Lots.

The park, located near a school, had been cited several times for repeated septic system failures, with each event being resolved with a temporary fix. In early 1997, the Department wrote a Final Compliance order to the park's owners, ordering them to provide a permanent solution to the problem. When this was not done, the case was submitted to the Calaveras County District

Attorney, who filed four misdemeanor criminal charges against the owners, and is preparing to file a civil suit to force resolution.

Sahara Mobilehome Park, Stockton, San Joaquin County , 187 Lots.

While in the mobilehome park the Department inspector smelled gas and investigated. Near a vacant lot riser, she found a hole already dug, indicating the park was already aware of the problem. She also found a sample of the pipe used in the gas system; it was unapproved for gas use, but had already been installed for about one hundred feet of the gas line. The unapproved pipe had also allowed water to leach into the line, extinguishing pilot lights in the homes' appliances. With Department oversight the one hundred feet of unapproved line was replaced with approved pipe, and testing of the line was witnessed and approved.

During the routine mobilehome park maintenance inspection of the park in October 1996, there had were 1,089 violations cited: 420 park and 669 resident violations. By the third reinspection, this had been reduced to 44 park and 20 resident violations. During a final reinspection in April 1998, there remained only 3 park and 14 resident violations, all relatively minor.

Sierra Nevada Trailer Park, Woodfords, Alpine County , 30 MH Lots.

The owner of this park was cited repeatedly for health and safety violations, including lot electrical service with no disconnection means, exposed live electrical parts, ungrounded electrical equipment, inoperable street lighting, and unsupported gas system equipment. When the correction orders did not result in elimination of the hazards, the case was referred to the Alpine County District Attorney in March 1997 for resolution of the matter.

The DA wrote the owner, listing the remaining violations and giving him thirty days to bring the park into compliance. When the Department conducted a reinspection in early May, the violations had been corrected.

Sleepy Hollow Park, Portola, Plumas County , 4 MH Lots, 41 RV Lots.

Similar to the Rablin Rose MH Park overhead conductors in the Sleepy Hollow Park were located too low over the mobilehome roofs. When correction of the condition had not been made after three notices, a file was prepared to submit the case to the Plumas County District Attorney. Because of indications the owners would now cooperate an enforcement letter was sent, granting one final opportunity to correct the violation in an effort to avoid the time and expense of formal legal action.

The owners ultimately hired an electrical contractor, obtained a construction permit, and corrected the violation.

Sunmount Mobilehome Park, Colfax, Placer County , 9 Lots.

During the initial mobilehome park maintenance inspection of this small park, the Department cited 112 health and safety violations. After violation notices and additional inspections failed to bring about corrections, the case was referred to the Placer County District Attorney in February 1998. There were still 38 violations, twelve of them serious electrical hazards.

At the DA's request the Department provided additional information, including photographs of violations, and in August 1998, the DA "acting to protect the public" filed a summons in the Placer County Superior Court giving the park owner thirty days to file a written response to the charges. Although this matter has not yet been resolved, the Department remains optimistic regarding a resolution.

Sunrise Trailer Park, Vacaville, Solano County , 34 Lots.

At the end of the routine maintenance inspection process, two uncorrected violations remained in this park: a mobilehome was deriving its electricity from the park's laundry building, and overhead conductors located less than the required eight feet above the laundry building. Because of the lack of cooperation by the park's owners, the matter was prepared for referral to the Solano County District Attorney. The park owner was informed of pending District Attorney action.

DA involvement was not necessary in this case. The park owners corrected the violations, and the inspection file was closed in early 1995.

Stoker's Trailer Park, Kings Beach, Placer County , 28 Lots.

During a routine maintenance inspection in 1994, this park was found to have 284 violations. They included a substandard electrical system, sewer back-ups, combustible trash and debris, and 12 more lots than allowed by County zoning and the Annual Permit to Operate issued by the Department. Construction of the additional lots had never been permitted or inspected to assure safe installation of utility systems.

The park owner's initial remedy for correcting an electrical violation was to "derate" the park's electrical to 50 amperes, which provided insufficient power for winter heat in most of the homes. The park's residents were mostly lower-income service workers employed in the Tahoe tourist industry, many of them young families with children. The park owner appealed the Department's finding in court three times and three times the owner lost.

The Department revoked the park's permit to operate, and the County paid to have the remaining residents moved to other mobilehome parks in the area.

Travel Shore Trailer Park, Fort Bragg, Mendocino County , 57 Lots

Routine mobilehome park maintenance inspections were conducted in this park which initially identified 228 violations, 138 of which still remained after three violation notices: 101 park and 37 resident violations. Correction of the violations was held up not only by the park owner's initial reluctance to make the corrections, but, when work did get started it was delayed by severe weather and the untimely death of the owner.

A file was prepared to present the case to the Mendocino County District Attorney. However the heirs took over the park and soon realized the seriousness of the situation. The District Representative discussed the matter in detail with the heirs, a 30-day extension was granted, and the health and safety park violations were corrected.

Vacaville Mobile Home Park, Vacaville, Solano County 64 Lots.

When the first Mobilehome Park Maintenance inspection was conducted, 919 violations were cited. Primary among the problems were numerous electrical and fire-safety violations. The District Representative succeeded in getting many of violations corrected in this park initially, but the park owner's cooperation decreased as the remaining violations became more difficult and expensive to correct.

The inspector advised told the owners that a package was being prepared to take the case to the Solano County DA. The rest of the violations were corrected.

Walnut Mobilehome Park, Sunnyvale, Santa Clara County , 40 MH Lots.

When an inspection was conducted in July 12, 1993, the Department's district representative cited the owner for overhead conductors located less than eight feet above the roofs of several mobilehomes in the park. In some cases, the conductors were much less than eight feet. A Notice of Violation was issued to the owner, ordering correction within thirty days. On three occasions, enforcement letters were sent to the owner, but subsequent reinspections revealed correction had not been made. There were communications and attempts, such as contacts with electrical contractors, indicating the owner's intention to raise the conductors. Additionally, a hearing was held at the owner's request to reconsider the orders.

When it was apparent no corrective action would be taken without formal legal action, the case was referred to the Santa Clara County District Attorney. When the DA immediately wrote the owner, ordering the correction in thirty days. An inspection of the thirty-first day found the corrections had not been made, and the DA was notified.

After additional communication from the DA to the park owner, the owner finally submitted an application for a construction permit to raise the conductors. In September 1995, work began to raise the conductors, and was finally completed in January 1996.

Washington Manor Mobilehome Park, Placerville, El Dorado County, 7 Lots.

When the Department started routine maintenance inspections in this 7-space park in 1994, there were 135 health and safety violations, most resident violations. Three notices of violation were sent to the park and to residents with violations, but after a year over half of the violations remained.

The case was referred to the El Dorado County District Attorney. The DA's found it necessary to take action, resulting in the correction of both park and resident health and safety violations. In 1997, a judgment was entered against the park owner for over \$10,000 for causing and allowing the hazards to exist.

Western Hills Mobilehome Park, Ukiah, Mendocino County , 62 Lots.

When this park received a routine maintenance inspection in 1993, the inspector cited 240 violations, mostly in the electrical and gas systems in the park. After continued refusal by the owners to correct the violations, the matter was referred to the Mendocino county District Attorney's office. With the DA's assistance, all the park's health and safety violations were corrected.

Windmill Trailer Court, Vallejo, Solano County , 25 Lots.

Eleven days after the Department's District Representative held a pre-inspection conference with the owner of this park to explain the upcoming mobilehome park maintenance inspection, the park was sold to a new owner. The new owner requested a year to make the corrections. The new owner was advised that the Department is required by State law to insure the reasonable health and safety of the residents and that the inspection would take place as scheduled. The inspector would consider individual circumstances, and requests for reasonable extension of time to make corrections would be considered, provided a hazardous condition was not involved.

Because of staffing shortages the first inspections took place six months after the purchase of the park. There were still 237 park and 47 resident violations remaining. A file was prepared for presentation to the Solano County District Attorney, and the "new" park owners were informed of the pending involvement by the District Attorney.

The park owner began to correct violations in the park in an apparent effort to eliminate the hazards. An inspection in May 1996 found all the park and resident violations were corrected.

V Trailer Park, Stockton, San Joaquin County , 19 Lots.

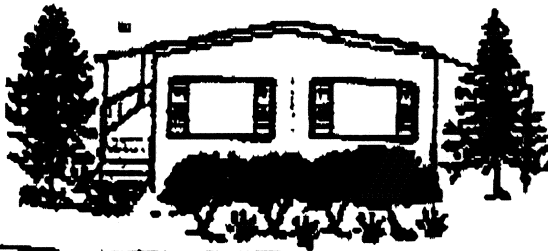
When this park was inspected in January 1994, the Department cited 118 health and safety violations: 55 park violations and 63 resident violations. Despite three Notices of Violation and assurances from the park owners that corrections were being made, 7 violations remained by the third reinspection in October. These included electrical system hazards such as exposed live parts, improper grounding, and overhead conductors hanging too low over mobilehomes with metal roofs; the gas system risks of improperly mounted gas meters and a gas leak in an illegally installed line extension; and the explosive potential of a park building water heater without the required pressure valve.

The case was referred to the San Joaquin County District Attorney who contacted the park owners and told them it was in their best interest to eliminate the hazards. Corrections began, required permits were obtained, and the violations were all corrected by January 1995.

The above is by no means a comprehensive list of enforcement actions taken or pending as a result of park maintenance inspections. This list is designed to give the reader examples of the typical actions necessary and taken in cases where serious violations are not corrected. The reader is reminded that in most cases, unlike the above, park owners are cooperative and there is no need to proceed with legal action or the threat of legal action. However it is obvious that there is a need for both the maintenance inspections and enforcement action.

Other Activity

- There are currently 63 cases pending with District Attorneys throughout the state, seeking correction of cited violations and criminal or civil penalties. On average, half of the enforcement cases referred to district attorneys are resolved without court action.
- As a direct result of maintenance inspections, numerous parks statewide have substantially improved or replaced entirely the park electrical, gas, water, and sewer systems. In the past 12 months alone, 41 construction permits were issued and inspections conducted for substantial repair or replacement of park utility systems.
- A new enforcement warning letter became an effective part of enforcement efforts in the fall of 1995. These letters, used primarily when park violations have not corrected, are issued just prior to legal action after expiration of the Final Notice of Violation. Hundreds of cases have been successfully concluded as a result of these letters.
- 368 Informal Conferences have been conducted. These meetings are conducted at the request of a resident, at their home site, as an appeal to the contents of any Notice of Violation. Typically a senior inspector meets with the resident, reviews the item contested, and the original Notice of Violation is amended, upheld, or rescinded. Extension of time, for correcting violations, is routinely granted with or without the informal conference.



CMRAA

CALIFORNIA MOBILEHOME RESOURCE AND ACTION ASSOCIATION
3381 STEVENS CREEK BLVD. SUIT 210 SAN JOSE, CA 95117

Memo to Sen. Joe Dunn:

Dear Sen. Joe, I have tried my best to be excused from jury duty during the week of the 25th, all to no avail. However, I will assure you that CMRAA will be represented by one of our Board Members and our Corp. Counsel (Bruce Stanton). On the 26th.

I have personally worked on this project along with my Board for the past two years. Attached for your information is a copy of a recommendation from CMRAA to WMA. Sen. Joe if this program fails to pass, the entire Mobilehome Community in this State will suffer, I honestly feel the educated park owner does not want this to happen.

WE CAN MAKE THIS WORK.....WE MUST. CMRAA will make itself available to do what-ever is necessary to accomplish this goal.

Thanks for your support.....

Dave Hennessy, President

1-15-99

a-15

CHURRAA Position**CONTINUANCE OF HCD PARK
INSPECTION PROGRAM**

GOALS: To extend the existing park inspection program administered by HCD so as to continue the enforcement of the Health & Safety Code as it pertains to both common areas maintained by the park owner and residents' spaces. The extended program should run for a multi-year period, and will be more narrowly focused only on those parks with the greatest number of past violations, or where requests to inspect are received by HCD from residents. With a more reduced number of parks requiring inspection, funds will be more wisely used, and no excessive fee increase should be required. The more limited scope of the program should make funds available to provide increased communication and program education and funding assistance to help residents, and by limiting the number of inspections, the potential for alleged harassment to residents is reduced.

WORKING POINTS:

1. Provide for periodic inspections by HCD inspectors only of those parks with a record of serious problems. HCD shall publish as regulations a series of criteria to identify those parks, such as the seriousness of the violations found in prior inspections, frequency of serious violations, and frequency of complaints of serious problems by either residents or management. The focus should be on "A" or "B" violations on anyone's part and these should be vigorously abated. The Regulations will also define what constitute "A" and "B" violations.
2. No significant fee increase is necessary. As we know, funds are already being diverted to other purposes. Those purposes should be defined in the legislation and should include prompt response to complaints from either residents or management, inspections of new units for occupancy permits, etc. With less parks to inspect, more funds will be available for the purposes set forth below.
3. Length of Program: 5 - 7 years.
4. Implementation of following safeguards for residents:
 - (A) Residents have 120 days to cure "B" violations cited to them. No "C" or "D" violations will be cited by HCD. Again, regulations will define "A" and "B" type violations.
 - (B) CSD grants to be made available to help residents who cannot afford cost of repairs.
 - (C) No eviction of resident can be initiated during 120-day period or while grant approval process or extension from HCD is ongoing.
 - (D) Pre-inspection meetings by HCD personnel and/or videotape presentations made available to residents prior to inspections.
5. Regulations Defining Violations:
 - (A) "Imminent Hazards" (i.e., "A" violations) need to be defined.
 - (B) "Unreasonable Threat to Life, Health & Safety (i.e., "B" violations) need to be narrowed to only those which HCD merits to be important enough to require a compliance reinspection.

Notes for Senator Dunn's Office

Priority Problems:

Park Inspection Program

- A. The Program must continue.

Without the program there would be no control over the health and safety standards of mobilehome parks.

- B. Suggestions for economizing the inspection program.

Eliminate the C and D violations which would cut down on time and paper work. By eliminating the cost of hours spent on minor violations and reports you would operate more efficiently. This would mean all the manpower hours would be used on the more serious violations. The inspections would be done in less time and the cost of maintaining the program would be cut.

Trees and Driveways

- A. **The Problem.**

The opinion of HCD is that maintenance of mature trees and driveways are the responsibility of the park owner and they cite the park owner when they are not maintained properly. The Department of Housing Community Development is not an enforcement agency and therefore cannot control the shifting of responsibility. The park owners have passed the maintenance of trees and driveways on to the individual mobilehome owner. When the home owner refuses to accept the responsibility the park owner takes control and bills the home owner an unacceptable charge for the action taken.

CMRAA's Problem.

- A. We have over forty cases turned over to us that need to be solved and we support the opinion of HCD and our home owners who feel the responsibility belongs to the park owner as they are permanent fixtures and cannot be removed when the home owner moves.

The Solution.

A bill must be passed that will define the absolute responsibility of the trees and driveways to the park owners.

Resale Upgrades

A bill needs to be passed that limits the amount of upgrades park owners require from a mobilehome owner to the exterior and the interior of the mobilehome and the rented space. The cost to the home owner in some instances is unrealistic and if the homeowner does not comply they do not accept the buyer and the sale falls through.

Mary Ann Stein
California Mobilehome Resource Action Association

EMPAC Positive

January 25 1999

Senate Select Committee on Mobile
and Manufactured Homes

Senator Joe Dunn, Chairman

Honorable Senator Dunn & Committee Members,

My name is Gerald Lenhard and my address is 955-63 Howard Avenue, Escondido, Ca. 92029. I wish to enter my following comments for the written record of this hearing, conducted on January 26 1999. I am a past President of the Escondido Mobilehome Positive Action Committee (EMPAC) and a founder of the County Mobilehome Positive Action Committee (COMPAC) of San Diego County. These two organizations represent over 80,000 mobilehome residents. I am presently on the Board of Directors of Congress of California Seniors (CCS).

In November 1997, I testified on the need to continue this program, see November 17, 1997, transcript of Pismo Beach Hearing. At that hearing and again at this hearing I expect HCD representatives to complain about cost of this program. At the Pismo Beach hearing, it was brought out that HCD violated AB423 which states the \$4 fee paid by residents and park owners "shall be used for the inspection of mobilehome parks and mobilehomes". The HCD violation was shown on page 5 of the background paper handed out by the committee staff at the hearing.

Park owners use resident violations routinely to threaten, harrass and intimidate residents. There are cases of this in every committee hearing transcribed report. This is a violation of AB925 but HCD has refused time and again to enforce park owner violations of AB925 & AB423.

For many years resident organizations from around the state (some 75 or more) have asked for an audit/inspection of HCD and have been stonewalled. Enclosed letters from my district Assemblyman, Howard Kaloogian, were either stonewalled or unanswered.

Senate Select Committee hearing transcribed reports in the past are rampant with HCD inspector abuse of resident rights. Inspectors routinely inspect parks accompanied by park managers/owners and write violations of a petty nature at manager/owner suggestion.

In 1997, my written testimony stated the law firm of Endeman, Lincoln, Turek & Heater, San Diego, win 25 - 30 million dollars **per year** in suits for failure to maintain. There's no financial loss for park owners as their insurance companies pay lawsuit costs and we all know who pays the premiums - the renters of course. For several years before these suits are brought, residents are forced to live in Third World conditions and are routinely threatened, harrassed and otherwise abused. EMPAC, COMPAC and other San Diego County resident organizations have all but eliminated these problems by working in concert and educating residents. Most cities in this county do their inspections and do not wish to rely on HCD. Our costs of Park Inspections are going down. Our parks comply. We have **never** allowed a resident to be evicted for a violation but HCD has. This is another violation of AB925 by HCD, in my opinion.

(Sen. Committee, 1-26,99 cont)

Park owners & HCD managers work together, in my opinion, to guarantee failure of this program.

If this committee would, in the near future, have hearings on resident complaints (documented) against HCD, much of what I say will be borne out. Yes, we have documentation, including testimony in **every** committee report on these hearings held since the inception of AB925 & AB423.

The major problems in the current system are not caused by finances. This committee should encourage resident homeowner association leaders to participate in a fact finding effort in all regions of the state. We should encourage these leaders to confirm inappropriate HCD inspection problems, by sworn affidavit if necessary.

You can amend the law to require inspections on resale, so homes can then be brought up to code. This could be a condition of escrow. Over 10% of homes are sold every year, so it won't be long before you see results.

The state could contract-out park inspections. San Marcos did this at a 50% saving I am told. Let's remember; the cost of this program must dramatically **go down - not up** if the program is competently run and codes enforced. Only incompetence and/or criminal collusion can cause the costs of this program to rise.

I believe a check of cities such as Escondido, San Marcos, Oceanside and others that do their own inspections will prove this. As the parks and homes come into compliance there is **much less enforcement needed**.

In closing I implore this committee make the necessary adjustments to this law, as to stop the harrassment & intimidation of the elderly that many of the unscrupulous owners & their unscrupulous attorneys use this law for.

Thank you for your consideration and I remain available in any capacity you may choose. I firmly believe resident leaders around the state can solve 95% of the problems with this program with no additional cost to taxpayers or mobilehome owners. Because we work for free, we solve problems; we do not drag them out or continually look for more money.

Sincerely,



Gerald Lenhard
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Assembly California Legislature



HOWARD KALOOGIAN
ASSISTANT REPUBLICAN LEADER
ASSEMBLYMAN, SEVENTY-FOURTH DISTRICT

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American Legislative
Exchange Council

COMMITTEES:

Vice-Chair
Banking and Finance

Member
Judiciary
Local Government
Revenue and Taxation

Select Committee
CA Horse Racing Industry

May 6, 1998

The Honorable Dan Lungren, Attorney General
State of California Department of Justice
1300 "I" Street
Sacramento, CA 95814

Dear Mr. Lungren:

I have received a copy of a letter sent to one of my constituents in response to an inquiry I posed on his behalf. My constituent, Mr. Gerald Lenhard, had requested an investigation of the Department of Housing and Community Development (HCD). This request was made in light of evidence suggesting HCD has not adequately enforced state law pertaining to mobilehomes.

In declining to assist, the response from Mr. Robert Raymer of your Public Inquiry Unit stated that your position as counsel to state agencies, "precludes the Attorney General from representing individual citizens in their disagreements with this state agency." Mr. Lenhard's concerns stemmed from the HCD's failure to enforce California law throughout the state, not because of personal complaint. The suggestion that Mr. Lenhard, "rely on the advice of a private attorney," was not particularly constructive.

If, in fact, the Attorney General is not responsible for investigating state agencies, may I ask your advice on who has this responsibility? Are private citizens responsible for the financial burden of paying for investigations when concerns regarding the performance of a state agency arise?

I value your knowledge and would greatly appreciate any suggestions you may have pertaining to this issue.

Respectfully,

HOWARD KALOOGIAN
Assemblyman, 74th District
Assistant Republican Leader

HK:eb

Cc: Mr. Gerald Lenhard

Enclosure

S:\a74\District98\casework\Gerry Lenhard\Lungren Response.doc

DANIEL E. LUNGREN
Attorney General

State of California
DEPARTMENT OF JUSTICE



PUBLIC INQUIRY UNIT
P.O. BOX 944255
SACRAMENTO, CA 94244-2550
(916) 322-3360
TOLL FREE (800) 952-5225
TDY (916) 324-5564
or (800) 952-5548

March 10, 1998

Gerald Lenhard
955 Howard Avenue, Space 63
Escondido, CA 92029

Dear Mr. Lenhard:

Assemblyman Howard Kaloogian has referred your letter to Attorney General Dan Lungren because the issue you discuss in your correspondence appears to come under the jurisdiction of the Attorney General. Because of the large volume of correspondence the Attorney General receives each day, it is not possible for him to personally respond to all of the letters he receives. Therefore, I have been asked to respond to your letter on his behalf.

I regret that the Attorney General's Office is unable to assist or comment on your complaint of lack of enforcement of mobilehome park regulations by the Department of Housing and Community Development.

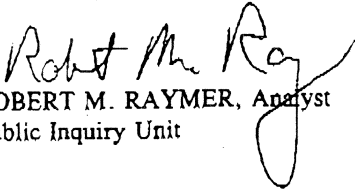
The Attorney General is required by law to provide legal representation to many state agencies in disputes arising from their actions. This duty precludes the Attorney General from representing individual citizens in their disagreements with this state agency or providing any advice to individuals regarding the disputed activity.

Under these circumstances we can only suggest that you rely on the advice of a private attorney in matters involving yourself and the Department of Housing and Community Development.

We regret that we could not be of further assistance to you, but hope that the information we have provided clarifies our restrictions in regard to your request.

Sincerely,

DANIEL E. LUNGREN
Attorney General


ROBERT M. RAYMER, Analyst
Public Inquiry Unit

RMR:plp

cc: The Honorable Howard Kaloogian
701 Palomar Airport Road, Suite 160
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Assembly California Legislature



HOWARD KALOOJIAN
ASSEMBLYMAN, SEVENTY-FOURTH DISTRICT

COMMITTEES:
Vice-Chair, Banking & Finance

Member
Committees on Judiciary
Revenue and Taxation
Local Government

State Chair
American Legislative
Exchange Council

State Chair
National Conference of State Legislators

Commission of the California

Select Committee on the CA
Horse Racing Industry

February 19, 1998

Mr. Gerald Lenhard
955 Howard Avenue, Space 63
Escondido, CA 92029

Dear Jerry:

Thank you for your recent note regarding the Department of Justice's lack of follow-up on my request to investigate the Department of Housing and Community Development. I've sent Mr. Rayner a second letter reinforcing my concerns. A copy is attached for your review.

On another front, I am still lobbying for the creation of an Assembly Mobilehome Committee. As you have certainly heard, a change of Assembly Speakers is imminent. Because of this, Assemblyman Bustamante has not made any decision regarding this matter and will likely allow the next Speaker to answer my request. Assemblyman Villaraigosa will assume the Speakership on the 26th of this month and will certainly be preoccupied with his new duties for some time. Nonetheless, I plan on reminding Mr. Villaraigosa of the importance of this committee shortly after he assumes his position.

I hope all is well and El Nino has not been too much of an inconvenience to you. I'll keep you updated on both the HCD investigation and the committee request.

Respectfully,

HOWARD KALOOJIAN
Assemblyman, 74th District
Assistant Republican Leader

HK:eb

Enclosure

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Assembly California Legislature



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National Conference of State Legislators

Commission of the California

**Select Committee on the CA
Horse Racing Industry**

February 19, 1998

Mr. Robert Raymer, Analyst
Public Inquiry Unit
Department of Justice
P.O. Box 944255
Sacramento, CA 94244

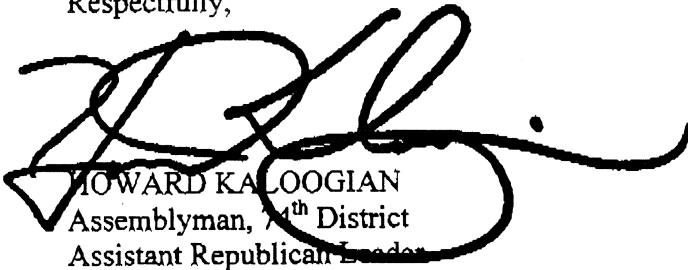
Dear Mr. Raymer:

On January 20th, I sent the attached letter to you requesting your assistance with a complaint a constituent of mine, Mr. Gerald Lenhard, has regarding the Department of Housing and Community Development. Mr. Lenhard recently informed me he has yet to receive any acknowledgment from your office in response to his request.

I understand your office is busy, however, I make it a policy in my office to respond to all inquiries in a reasonable amount of time. I believe the citizens of this state deserve as much. To that end, I am again requesting your assistance in addressing Mr. Lenhard's concerns.

Thank you for your prompt attention to this matter.

Respectfully,



HOWARD KALOOJIAN
Assemblyman, 74th District
Assistant Republican Leader

HK:eb

Cc: Mr. Gerald Lenhard

Enclosure



Vedder Community Management

4444 Riverside Drive, Suite 304 • Burbank, California 91505 • (818) 556-6700 • Fax (818) 556-6400

Senate Select Committee on Mobile and Manufactured Homes

Senator Joe Dunn

Chairman

Mobilehome Park Inspection Program Hearing

January 26, 1999

Room 3191, State Capitol

Experience of Vedder Community Management

Vedder Community Management ("VCM") operates 18 manufactured housing communities throughout California. Twelve of these communities, containing over 3,300 homes, are inspected by the Department of Housing & Community Development ("HCD"). While we believe the inspection program can and should be improved, as described below, we have had a generally positive past experience with the existing inspection program.

When the existing program was enacted, we pre-inspected all of our properties and attempted to educate our residents as to the requirements of Title 25 in anticipation of eventual inspections. As a result, our managers and residents were informed about the program and had a general sense of what to expect. The typical result of an HCD inspection of one of our communities was a one or two page list of minor "park"¹ violations and a list of minor violations affecting on average approximately 25% or less of the residents in that community.

Since the beginning of the inspection program, we have never had to issue an eviction notice to any resident for that resident's failure to comply with an HCD violation notice.² To my knowledge there has never been manager/resident friction over the inspection program. The only complaints we have heard relate to the form of the violation notice (too intimidating; can't understand the violation; offended by threat of misdemeanor prosecution), uncertainty as to the actual inspection date and the occasional failure to return to re-inspect.

¹While we will use "park" at times in this memo for clarity, we advocate improving the image of the manufactured housing industry by changing outdated terminology which too often casts a negative stereotype on today's operators and residents. Thus, we prefer community, resident, home and homesite to park, tenant, mobilehome and lot/space.

²I spoke today with the largest property management company in our Industry, Bessire & Casenhiser, and they confirmed that they too have never had to issue an eviction notice for this purpose.

Therefore, in general we believe that the existing inspection program has worked well. We also believe that it has improved the health and safety conditions in our communities and served to educate everyone concerning the requirements of Title 25. For these reasons, we believe that the program should be continued for another seven-year term.

With regard to the "Major Issues and Program Changes Discussed at 1998 Park Inspection Meetings" which is attached as Addendum #3 to the agenda, our comments are as follows:

1. Frequency of Inspection: We believe that inspections need to continue on a seven-year basis. Problem parks (those with serious, repetitive park or resident violations) should perhaps be targeted on a more frequent basis as determined by HCD in its sole discretion.

2. Program Fees: We have yet to be convinced that the fees for this program need to be increased. We believe that there will be certain efficiencies in the second round of inspections under the extended program. For example, we believe that inspectors will find fewer violations (inasmuch as violations found during the last seven years presumably will have been corrected) and that this will lead to faster field inspections and less administrative paperwork. We also believe that if other program changes are made (as outlined below), HCD will save on staff time and administrative costs. Nevertheless, we would begrudgingly accept a \$1.00 per homesite fee increase, the cost of which would be split equally by park operators and residents.

3. Local Government Participation: Our experience is that some local governments take the inspection program very seriously and do an admirable job and that others do not do as good a job as HCD. We believe that it would be best if HCD inspected all parks statewide to provide consistency in enforcement and common inspection standards. However, the subject of local control and choice is best left to HCD and the local governments to decide.

4. Pre-inspection Orientation: We believe that the pre-inspection aspect of the program is good and should be continued. We have no objection to inviting a Homeowners' Association or like representative to the pre-inspection orientation. The notices and booklets already in use should continue to be used. We were on the WMA Committee that recommended to HCD several years ago that HCD develop an explanatory video for use in the orientation. It is our view that the video would be very useful and should cover the following: the purpose of the program, the procedures applicable to the program and "real life" examples of common violations that will be cited. An explanation of why a violation is unsafe should also be provided.

5. Accompanying the Inspector: We believe that the manager should accompany the inspector when the inspector is reviewing the common areas of the park and not when the inspector is reviewing the resident's homes or homesites.³ Of course, the manager should be free

³We have never had a situation where a manager accompanied the inspector throughout the park and residents took offense or thought they were being harassed. Indeed, in several cases, our managers have tried to convince inspectors not to cite residents for minor matters. Nevertheless, we and our managers are busy and would prefer not to feel an obligation to accompany the inspector as the inspector reviews homes and homesites.

to respond to an inspector's question about conditions at a particular homesite is asked. We believe the resident should have the right to accompany the inspector when that resident's home and homesite are being reviewed.

6. Inspection Citations: We believe that the inspector should continue to cite A, B and C violations and that the extended program should not require the citation of D violations.

7. Notice of Violations: We believe that violations applicable to the park common areas should be sent to the park owner and that violations applicable to the resident's home or homesite should be sent to the resident. Copies of a resident violation notice should only be sent to the park management if the resident fails to correct an A or B violation within the time allowed by HCD.

8. Time to Correct: Everyone agrees that A violations should be corrected ASAP. We believe that everyone should be given 90 days to correct B violations, and that C violations, if cited at all, should simply be noted for the file. After all, if a B violation existed for seven years before an inspection, an extra 30 days (from 60 to 90 days) to comply should not be problematic.⁴

9. Clarity of Citations: Reform is needed in this area. Citations do need to be more specific and understandable to the lay person who is not well schooled in the details of Title 25.⁵ We recommend that the first notice of violation be re-named as "Inspection Report--Request for Compliance" and that the first notice not mention the threat of criminal enforcement action. If the violation is not corrected in 90 days, then a more official "Notice of Uncorrected Violation" can be sent explaining the possible enforcement action that can be taken.

10. Low-income Assistance: We concur that it would be desirable to develop information to assist low income persons in their efforts to comply with citations. Perhaps the Industry associations can participate with HCD in developing such a list.

⁴Our experience is that inspectors typically cannot arrange to return for re-inspection precisely on the 61st day after notices of violation have been sent. In many instances, inspectors return 90 or more days after the notices have been sent. Since this is what is happening in practice, it only makes sense to extend the time to comply to aid all parties.

⁵A real life example of one confusing citation is as follows: "There is inadequate sanitation in the park building(s) causing the building to be substandard. Provide required sanitation facilities within the building(s). [California Code of Regulations, Title 25, Section 1604(a), & 1640 (a),(b)] Internal Reference Number: (PSSSI) Location(s): 96 Comment: planter walls". This, of course, had nothing to do with sanitation. It involved some planter boxes (yes, boxes with plants in them) that were cracked and needed to be repaired. After worrying about this for three days, our manager finally had to call HCD to figure out the violation.

We appreciate the opportunity to offer our comments to the Select Committee. We believe that the existing program has improved health and safety conditions in our communities throughout the State of California. This is progress which should not be lost by eliminating the program or watering down its provisions to such an extent that it is ineffective.

If you have any questions, please feel free to telephone Vedder Community Management, William C. Schweinfurth, Director of Operations, at (818) 556-6700.

**SENATE SELECT COMMITTEE on MOBILE and
MANUFACTURED HOMES**

Testimony; Hearing on Park Inspection Program, January 26, 1999

Before beginning, allow me to complement the committee for addressing this issue in such a timely and forthright manner.

My testimony today is offered on behalf of approximately 6,000 manufactured home community residents in Placer County. I come before you as the president of Placer County Mobilehome Residents Promoting Equitable Treatment, or MR-PET.

From the outset, I wish to make it clear that we favor a continuance of the park inspection program. The program, as presently constituted, is a two edged sword. The program does provide some protection for residents on health and safety, when management becomes lax in those areas. However, providing management with copies of resident violations, opens the door to untold abuses by far too many community owners and their managers.

While some community owners allow damage to occur to homes through lack of maintenance, their use of resident violations as a means of termination of tenancy, eviction, underscores this two edged sword. Providing for a homeowners representative to accompany the inspectors on their rounds, and the posting in the park, of the most serious community owner violations, may be the means of dulling this sword.

Testimony offered in previous hearings on this subject, amply portray the need for more comprehensive training of inspectors. Inspector lack of even elementary skills in human relations, when dealing with residents, has been cited time and again.

HCD in the past, has testified of a lack of funding, to properly carry out the inspections to everyone's satisfaction. And this could be true, based on the inordinate length of time that was used, to have an inspector visit every community in the state. And I'm sure, I'll be corrected if I'm wrong, they have not as yet inspected all of the communities. Whatever the reason, for any delays, the department should not allow the inspection of any community, by anyone having an attitude that favors the landlord over the resident.

An increase of fees to continue the program, may be a solution, provided the department can adequately show that the problems occurring within the program, do indeed stem from a lack of funds.

In sum, the program should be continued, for an indefinite time; It should be properly funded; The playing field needs to be leveled, and personnel need to be properly trained.

Respectively submitted,

Clay Harrison

Clay Harrison, President
MR-PET

January 26, 1999

Thank you Senator Dunn, and members of the committee. I wish also, to thank you for this opportunity to come and speak to you about my urgent concerns why I feel it is so critical that the "Mobilehome Park Inspection Program" must continue.

I am the treasurer of the Homeowners' Coalition, Mobilehome Parks of Tuolumne County and our organization represents 48 mobile/manufactured home Parks in Tuolumne County. In addition, as Vice-President of the Home Owner's Association in the Mobile Park in which I reside. We have 112 spaces deeply affected about the outcome of the "Mobilehome Park Inspection Program".

In our County, the Chief Building Official is responsible for conducting park inspections here in Tuolumne County. In fact, per the gentleman in charge of this responsibility there have been over 80 violations during 1998 alone. What happens if this program is abandoned? Please, this must continue.

Park owners, especially here in Tuolumne County will have a 'heyday'. The lack of ethic responsibility of the greater percentage of these park owners will be devastating. Most of them never want to obey the requirements of permits and policy whenever they do wish to do something. The real negative side in providing 'free rein' by discontinuing the inspection program will be the risk of further devaluing of our homes within all mobile parks. Doesn't an excess of 80 violations in one year in Tuolumne County even with the 'Inspection Program' intact vouch for the consequences for the elimination of this program? Without this program in place, we, the mobilehome owners will have no recourse for improper conduct from any Park Owner. We are but one small county. Multiply the infractions that have occurred here by all of the countys in California this readily equates to a critical need which supports the continuation of this inspection program. These inspections are of signicant value as long as there is no collusion between the park owners and a given inspector. This situation was discussed at our previous meeting on November 17, 1997 in Pismo Beach, California.

For the protection against further devaluing of our homes by the antics of those Park owners who have no scruples, this 'Inspection Program' must not be discontinued. In many mobilehome parks, including the one in which I live our homes are only worth approximately 20% of what they should be. Not because of the mobilehome owner, but the unsatisfactory conditions generated by the park owner. Even though many

tenants are on very low incomes, we all would be better served by the continuance of the 'Inspection Program' even though we may have to pay more for this protection.

Legislation via the California Civil Code, "Mobilehome Residency Law", as the laws and regulations in place are very good the homeowner in order to make a park owner comply still requires 'Civil Court Action' and even if we could afford to take the park violators to task, most local attorneys and judges have no idea the meaning of this legislation so therefore it becomes a 'lose-lose' situation. Faced with the possibility of now losing the "Park Inspection Program" is very unnerving.

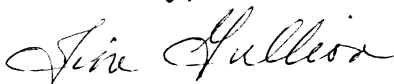
Park owners are greedily shrewed. They know they have the big bucks and that most of the mobilehome owners are seniors trying desperately to have a calm, peaceful life at the end of their time here on earth. We, the seniors also are the ones who pay the largest percentage of taxes, spend money in their community and also are the most numerous and conscientious in the voting community. Within our County, most park owners live outside our county as well as spend their money outside of the area which is paying them generously.

Please! Do not abandon the Mobilehome Park Inspection Program. If you do, then you will be abandoning many thousands of loyal citizens (most who are seniors) who own mobilehomes and are renting dirt spaces from these park owners. This will, without question, further victimize the mobilehome owner by throwing them to the park owners as fair game to further devalue our homes.

If possible, give us the opportunity to 'vote' on this program if you cannot come to an agreement to continue this much needed program. This is a very grave issue for us and we are humbly soliciting your help and support.

Thank you for allowing me to plead our plight. Do you have any questions?

Sincerely,



Jim Gullion
(209) 533-9174
Sonora, CA



Homeowners' Coalition
MOBILEHOME PARKS OF TUOLUMNE COUNTY
Post Office Box 1733 • Jamestown, California 95327
(A California Non-Profit Public Benefit Corporation)



January 22, 1999

Honorable Joseph L. Dunn, Chair
California Senate Select Committee
on Mobile & Manufactured Homes
1020 "N" Street, Room 520
Sacramento, CA 95814

Re: January 26, 1999 Hearing

Dear Senator Dunn:

The Homeowner's Coalition, Mobilehome Parks of Tuolumne County (HCMP-TC), strongly supports the continuation of "The Mobilehome Park Inspection Program." Our organization represents 48 mobile/manufactured home parks in Tuolumne County.

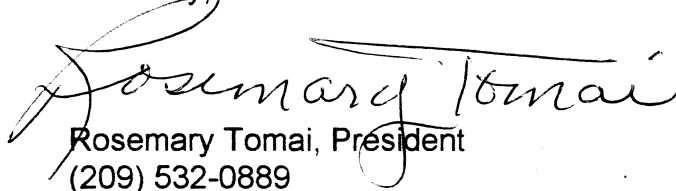
The County's Chief Building Official is responsible for conducting park inspections here, not the inspectors from the Department of Housing and Community Development (HCD). The program in Tuolumne County has been an outstanding success.

If the Park Inspection Program is discontinued, our organization firmly believes that many park owners would reduce or eliminate maintenance in their parks. As the result, not only will the health, safety and welfare of homeowners in parks be jeopardized, but the value of their homes will be reduced, causing mobile/manufactured homeowners to lose a major part of their investment.

HCMP-TC understands and fully supports the need for increased funding for the program. However, a comprehensive study should be made to determine the cost of maintaining this essential program that not only benefits mobilehome owners, but also mobilehome park owners. The continuation of this program would enhance communities state-wide and prevent mobilehome parks from becoming disastrous slum areas.

I am enclosing a copy of the testimony given at the November 17, 1997, hearing in Pismo Beach, CA.

Sincerely,


Rosemary Tomai, President
(209) 532-0889

RT/rp

COPY
a-33

Dear Senator Craven:

Your proposed legislation, SB 485, to extend the Housing and Community Development Department's mobile/manufactured home park inspection program must be enacted. The program is needed to ensure that the provisions for the Mobilehome Parks Acts and the Health and Safety Code and other laws are complied with to protect the health and safety of park tenants. Without this program, I firmly believe many more parks will deteriorate and that could adversely affect the surrounding areas which could become like inter-city slums. This situation already exists in some areas.

The infrastructure and facilities provided by the park owner make possible a place where people 55 and older seniors, and let's not forget young families with low or moderate incomes can live in their own homes by renting a dirt space. This type of housing is absolutely essential in our state because housing costs are much higher than in most other parts of the country.

The Homeowners' Coalition (A California Non-Profit Benefit Corporation) is an organization representing mobilehome owners in 48 parks located in Tuolumne County. The Tuolumne County Building and Safety Department administers the program here. It does an outstanding job. We work very closely with the building and safety department. Mobile home owners who have complaints work with the Coalition president or Board, who in turn works with the building and safety department If the inspection program is not extended, I fear . . . that many park owners would reduce maintenance even further As a result, not only will the health, safety and welfare of the mobilehome owners be jeopardized, but the value of their homes will be reduced causing mobilehome owners to lose the major part of their investment in them.

Most mobilehome owners don't have the financial means to pay for litigation to force a park owner to comply with the laws when they are violated. And many District Attorneys don't have the resources, the funding or the manpower, to prosecute non-complying landlords due to heavy workloads imposed by criminal prosecutions. Such is the case in our county.

. . . Our county's Chief Building Official reviews and determines the necessary action to resolve the problem.

.

CALBO POSITION ON MOBILEHOME INSPECTION PROGRAM

California Building Officials (CALBO) supports the continuation of a modified mobilehome inspection program. There are, however, two areas that need to be addressed: the scope of the program, and the fee structure.

The purpose of the mobilehome inspection program is health and safety. Currently the scope of the program encompasses all violations of the codes and laws in effect when the park and/or mobilehome received its first approval. It charges inspectors with the difficult mission of identifying and addressing the full range of violations. In many instances, the full range produces violations which are technical in nature, rather than those which constitute any kind of immediate threat to health and safety. This places an unreasonable burden on many mobilehome owners who live on fixed incomes. The Department of Housing and Community Development (HCD) has moved in the right direction by categorizing the violations' types from Type A through Type D, with Type A being violations posing an immediate threat to health and safety. CALBO believes the scope of the state mandate should focus only on the Type A violations, and should require park inspections on a five-year cycle. This results in a program that: 1) has more credibility in terms of the mission of the program; 2) minimizes the potential for inspection situations which are viewed as harassment; and 3) greatly reduces the potential for unreasonable hardships on senior citizens living on fixed incomes. This will also help to cut the costs associated with the enforcement of the program.

With the current scope of the program, the fee authorized is inadequate. Testimony at last year's hearings from both HCD and the City of Oceanside support this conclusion. The range of cost appears to be from \$12 per lot to \$20 + per lot; the current fee is \$4 per lot. CALBO believes that with the reduced scope of the program a more modest fee increase (as currently proposed by HCD) of \$8 per lot is more in line with the anticipated program costs, provided the scope is reduced to Type A violations only.

With respect to those communities which have an existing housing enforcement program, CALBO suggests the Legislature allow mobilehome parks and mobilehomes to be included in the local housing code programs, with some conditions: 1) the scope of any housing code enforcement program needs to focus on all housing as opposed to solely mobilehomes; 2) the program should not impose greater legal burden on mobilehome owners than conventional housing (many housing code programs deal with violations as infractions and not as misdemeanors as presently required under the mobilehome inspection program); and 3) authorize local agencies to impose fees to fund the program as is otherwise authorized by state law.

CALBO believes these changes will vastly improve the existing program. We look forward to working with other interested parties toward the goal of an efficient program which promotes reasonable life safety standards.

Introduced by Senator O'Connell

February 24, 1999

An act to amend Sections 18400.1, 18424, and 18502 of the Health and Safety Code, relating to mobilehome parks, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 700, as introduced, O'Connell. Mobilehome parks: inspections.

(1) The Mobilehome Parks Act requires certain local enforcement agencies to enter and inspect all mobilehome parks once every 8 years, as specified, and to submit a report to the Department of Housing and Community Development on the status of the mobilehome park inspection program prior to March 1, 1999. The department is required to submit a similar report on the inspection program to the Senate Committee on Local Government, the Senate Select Committee on Mobile and Manufactured Homes, and the Assembly Committee on Housing and Community Development by May 1, 1999. Existing law provides that these provisions shall remain in effect only until January 1, 2000.

This bill instead requires the local enforcement agencies to enter and inspect all mobilehome parks once every 7 years, thereby imposing a state-mandated local program, and to submit the required report to the department prior to July 1, 2005. The bill would require the department to submit its status report to the Senate Committee on Housing and Community Development, the Senate Select Committee on

SB 700

Mobile and Manufactured Homes, and the Assembly Committee on Housing and Community Development by January 1, 2006.

The bill would extend the period during which these provisions are effective to January 1, 2007.

(2) The act sets specified fees relating to annual operating permits with regard to incidental camping areas of mobilehome parks. These fees are paid to the department and deposited in the Mobilehome Parks Revolving Fund, which is a continuously appropriated fund. A provision of the act, operative until January 1, 2000, sets an annual fee of \$4 per lot and requires the revenues derived from this fee to be used exclusively for the inspection of mobilehome parks and mobilehomes to determine compliance with the act.

This bill would extend the operation of the provision requiring payment of the annual fee of \$4 per lot until January 1, 2007. Because the bill would, by extending the period during which payment of this fee would be required, cause additional fees to be paid into the continuously appropriated Mobilehome Parks Revolving Fund, the bill would make an appropriation.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

(4) The bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 18400.1 of the Health and Safety
2 Code is amended to read:

3 18400.1. (a) The enforcement agency shall enter and
4 inspect all mobilehome parks, as required under this part,
5 at least once every ~~eight~~ *seven* years, to ensure
6 enforcement of this part and the regulations adopted
7 pursuant to this part. Any notices of violation of this part
8 shall be issued pursuant to Chapter 3.5 (commencing
9 with Section 18420).

10 (b) In developing its program for inspections, the
11 enforcement agency shall give first priority to inspections
12 of those mobilehome parks which it believes may have
13 the most serious violations of this part.

14 (c) Nothing in this part shall be construed to allow the
15 enforcement agency to issue a notice for a violation of
16 existing laws or regulations ~~which~~ *that* were not violations
17 of the laws or regulations at the time the mobilehome
18 park received its original permit to operate or at the time
19 the manufactured home or mobilehome received its
20 original installation permit, unless the enforcement
21 agency determines that a condition of the park,
22 manufactured home, or mobilehome endangers the life,
23 limb, health, or safety of the public or occupants thereof.

24 ~~(d) This section shall remain in effect only until~~
25 ~~January 1, 2000, and as of that date is repealed, unless a~~
26 ~~later enacted statute, which is enacted before January 1,~~
27 ~~2000, deletes or extends that date.~~

28 ~~(e)-~~

29 (d) Any local enforcement agency that relinquishes
30 enforcement authority over to the department shall
31 remit to the department fees collected pursuant to
32 paragraph (2) of subdivision (c) of Section 18502 that
33 have not been expended for purposes of that paragraph.

34 ~~(f)-~~

35 (e) Each local enforcement agency that has assumed
36 enforcement authority and has collected fees pursuant to
37 paragraph (2) of subdivision (b) of Section 18502, shall
38 provide the department, prior to ~~March 1, 1999~~ *July 1,*

SB 700

1 2005, with a status report on its specific inspection
2 program after completion of the program's first
3 seven-year cycle. The report shall include information on
4 the number of parks and spaces in its jurisdiction, the
5 number of parks and spaces that have been inspected, the
6 number and types of notices of violations issued against
7 the parks, the number and types of notices of violations
8 issued against the residents, the number of notices of
9 violations appealed, and the amount of fees collected and
10 expended for the purpose of the inspection program.

11 ~~(g)~~
12 (f) Notwithstanding Section 7550.5 of the
13 Government Code, the department shall, prior to ~~May 1,~~
14 ~~1999 January 1,~~ 2006, submit a report to the Senate
15 Committee on ~~Local Government~~ *Housing and*
16 *Community Development*, the Senate Select Committee
17 on Mobile and Manufactured Homes, and the Assembly
18 Committee on Housing and Community Development
19 on the status of the mobilehome park inspection program
20 after completion of the program's first seven-year cycle.
21 The report shall include information on the total number
22 of parks and spaces in the state, the number of parks and
23 spaces that have been inspected, the number of notices
24 of violations issued against the parks, the number of
25 notices of violations issued against the residents and the
26 number of notices of violations appealed, and the amount
27 of fees collected and expended for the purpose of the
28 inspection program. The report shall separate the
29 information according to parks inspected by local
30 enforcement agencies, parks inspected by the
31 department, and total program activity. The report shall
32 include any recommendations for changes to make the
33 inspection program operate more effectively in the event
34 that the program is extended beyond January 1, ~~2000~~ 2007.

35 (g) *This section shall remain in effect only until*
36 *January 1, 2007, and as of that date is repealed, unless a*
37 *later enacted statute, which is enacted before January 1,*
38 *2007, deletes or extends that date.*

39 SEC. 2. Section 18424 of the Health and Safety Code
40 is amended to read:

1 18424. This chapter shall remain in effect only until
2 January 1, ~~2000~~ 2007, and as of that date is repealed, unless
3 a later enacted statute, which is enacted before January
4 1, ~~2000~~ 2007, deletes or extends that date.

5 SEC. 3. Section 18502 of the Health and Safety Code,
6 as amended by Section 3 of Chapter 773 of the Statutes of
7 1998, is amended to read:

8 18502. Fees as applicable shall be submitted for
9 permits:

10 (a) Fees for a permit to conduct any construction
11 subject to this part as determined by the schedule of fees
12 adopted by the department.

13 (b) Plan checking fees equal to one-half of the
14 construction, plumbing, mechanical, and electrical
15 permit fees, except that the minimum fee shall be ten
16 dollars (\$10).

17 (c) (1) Except for a temporary recreational vehicle
18 park, an annual operating permit fee of twenty-five
19 dollars (\$25) and an additional two dollars (\$2) per lot or
20 two dollars (\$2) per camping party for the maximum
21 number of camping parties to be accommodated at any
22 one time in an incidental camping area.

23 (2) Except for a special occupancy park, an additional
24 annual fee of four dollars (\$4) per lot shall be paid to the
25 department or the local enforcement agency, as
26 appropriate, at the time of payment of the annual
27 operating fee. All revenues derived from this fee shall be
28 used exclusively for the inspection of mobilehome parks
29 and mobilehomes to determine compliance with the
30 Mobilehome Parks Act (Part 2.1 (commencing with
31 Section 18200)) and any regulations adopted pursuant to
32 the act.

33 (3) The Legislature hereby finds and declares that the
34 health and safety of mobilehome park occupants is a
35 matter of public interest and concern and that the fee
36 paid pursuant to paragraph (2) shall be used exclusively
37 for the inspection of mobilehome parks and mobilehomes
38 to ensure that the living conditions of mobilehome park
39 occupants meet the health and safety standards of this
40 part and the regulations adopted pursuant thereto.

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1 Therefore, notwithstanding any other provisions of law or
2 local ordinance, rule, regulation, or initiative measure to
3 the contrary, the holder of the permit to operate the
4 mobilehome park shall be entitled to directly charge
5 one-half of the per lot additional annual fee specified
6 herein to each homeowner, as defined in Section 798.9 of
7 the Civil Code. In that event, the holder of the permit to
8 operate the mobilehome park shall be entitled to directly
9 charge each homeowner for one-half of the per lot
10 additional annual fee at the next billing for the rent and
11 other charges immediately following the payment of the
12 additional fee to the department or local enforcement
13 agency.

14 (d) Temporary recreational vehicle park operating
15 permit fee of twenty-five dollars (\$25), with no additional
16 fee for the lots.

17 (e) Change in name fee or transfer of ownership or
18 possession fee of ten dollars (\$10).

19 (f) Duplicate permit fee or amended permit fee of ten
20 dollars (\$10).

21 (g) This section shall remain in effect only until
22 January 1, ~~2000~~ 2007, and as of that date is repealed, unless
23 a later enacted statute, which is enacted before January
24 1, ~~2000~~ 2007, deletes or extends that date.

25 SEC. 4. Section 18502 of the Health and Safety Code,
26 as amended by Section 4 of Chapter 773 of the Statutes of
27 1998, is amended to read:

28 18502. Fees as applicable shall be submitted for
29 permits:

30 (a) Fees for a permit to conduct any construction
31 subject to this part as determined by the schedule of fees
32 adopted by the department.

33 (b) Plan checking fees equal to one-half of the
34 construction, plumbing, mechanical, and electrical
35 permit fees, except that the minimum fee shall be ten
36 dollars (\$10).

37 (c) Except for a temporary recreational vehicle park,
38 an annual operating permit fee of twenty-five dollars
39 (\$25) and an additional two dollars (\$2) per lot or two
40 dollars (\$2) per camping party for the maximum number

1 of camping parties to be accommodated at any one time
2 in an incidental camping area.

3 (d) Temporary recreational vehicle park operating
4 permit fee of twenty-five dollars (\$25), with no additional
5 fee for the lots.

6 (e) Change in name fee or transfer of ownership or
7 possession fee of ten dollars (\$10).

8 (f) Duplicate permit fee or amended permit fee of ten
9 dollars (\$10).

10 (g) This section shall become operative on January 1,
11 ~~2000~~ 2007.

12 SEC. 5. Notwithstanding Section 17610 of the
13 Government Code, if the Commission on State Mandates
14 determines that this act contains costs mandated by the
15 state, reimbursement to local agencies and school
16 districts for those costs shall be made pursuant to Part 7
17 (commencing with Section 17500) of Division 4 of Title
18 2 of the Government Code. If the statewide cost of the
19 claim for reimbursement does not exceed one million
20 dollars (\$1,000,000), reimbursement shall be made from
21 the State Mandates Claims Fund.

22 SEC. 6. This act is an urgency statute necessary for the
23 immediate preservation of the public peace, health, or
24 safety within the meaning of Article IV of the
25 Constitution and shall go into immediate effect. The facts
26 constituting the necessity are:

27 To ensure the inclusion of necessary additional data in
28 the required reports on the status of the mobilehome
29 park inspection program and to ensure the health and
30 safety of mobilehome park occupants, it is necessary that
31 this act take effect immediately.

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11/15/98

MOST COMMON MOBILEHOME PARK VIOLATIONS (RESIDENTS)

#	VIOLATION CODE	NO. OF VIOLATIONS	PERCENT	VIOLATION DESCRIPTION
1	RFDB	1319	5.4%	Accumulation of trash and debris
2	RSHR-1	1123	4.6%	Stairs not provided with handrails
3	REWM-1	1081	4.4%	N/M electrical cable exposed to physical damage
4	REEC-1	967	4.0%	Electrical cord being used in lieu of permanent wire
5	RGRG	814	3.3%	No evidence of proper registration
6	REWM-4	557	2.3%	Electrical equipment installed outdoors not approved for damp locations
7	RSSW-1	525	2.2%	No complying stairway at each required exit
8	REPC-4	499	2.0%	The MH power supply cord is buried or encased in concrete
9	RSSW-6	464	1.9%	The stairs of the stairway are structurally unsound
10	RNPT-1	462	1.9%	Construction of work without permits
11	RPDS-1	458	1.9%	Sewer drain line leaking
12	RSBW-1	439	1.8%	Awning/carport columns not vertical, more than 12 inches from being vertical
13	RSGR-1	426	1.7%	Porch/deck constructed 30 inches or higher above ground without gaurdrails
14	REAP	404	1.7%	Appliances shall not be installed outdoors unless protected
15	RSSC-2	388	1.6%	Combustible storage cabinet installed within 3 feet from the lot lines
16	REFA-1	368	1.5%	The MH electrical feeder/power supply cord is buried or lying on the ground
17	REAC	363	1.5%	The park electrical service is not accessible
18	RGSS-5	344	1.4%	Faulty weather protection affecting the MH
19	RMGC-3	320	1.3%	Unapproved gas flexible connector being used
20	RSSL-1	317	1.3%	No landing on outswing door
21	RPDS-2	308	1.3%	Inappropriate plumbing fittings used between the MH drain and the lot inlet
22	RSSL-2	306	1.3%	Floor landing on stairs is more than one inch below the threshold of the door
23	RSSC-1	305	1.3%	Floor area of the storage cabinet exceeds 100 square feet
24	RSHR-4	286	1.2%	Stairway rails are loose
25	RMGC-2	271	1.1%	Gas flexible connector buried or encased in concrete
26	RSMS-3	262	1.1%	Miscellaneous structure is structurally unsound
27	REEC-2	252	1.0%	Appliances installed outdoors energized by extension cords
28	RSMS-2	245	1.0%	Combustible miscellaneous structure within three feet from lot line
29	RGAN-2	242	1.0%	Accumulation of animal feces on the lot
30	RSSL-4	238	1.0%	The stairway or landing is structurally unsound
31	RPMS-1	235	1.0%	MH plumbing fixtures not provided with a P-trap

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MOST COMMON MOBILEHOME PARK VIOLATIONS (RESIDENTS)

#	VIOLATION CODE	NO. OF VIOLATIONS	PERCENT	VIOLATION DESCRIPTION
32	RSGR-3	234	1.0%	Porch/deck intermediate guardrails are non complying
33	RSSK-1	226	0.9%	Insufficient cross ventilation under MH
34	RSAE-1	216	0.9%	Awning enclosed with more than 50 percent of the total wall area
35	RMLP-1	211	0.9%	LP gas vessel not secured to MH
36	RSSC-4	206	0.8%	More than two storage cabinets on the lot
37	REPC-1	205	0.8%	MH power supply cord cracked and deteriorated
38	RMWH-1	202	0.8%	Water heater not properly vented
39	RGPL	200	0.8%	MH located closer than three feet from the lot line
40	RPWS-1	187	0.8%	MH water connector leaking at the lot connection
41	REPC-6	183	0.8%	Power supply cord not listed
42	RSMS-1	183	0.8%	Porch/deck is structurally unsound
43	RPDS-5	179	0.7%	Drain line system not maintained with a proper grade
44	RSR-3	176	0.7%	Stairway rails are structurally unsound
45	RPDS-4	173	0.7%	Unapproved flexible drain connector at the lot inlet
46	RPWS-2	169	0.7%	Leaky water lines on the MH
47	RSGR-5	165	0.7%	Porch/deck guardrails are loose
48	RGSS-2	155	0.6%	Electrical hazard on lot affecting the MH
49	REWM-3	154	0.6%	The overcurrent protection device has a higher rating than the conductors
50	RMSU	153	0.6%	Gas piping extended beneath the MH in an unapproved manner
51	RSSL-3	153	0.6%	Length of the landing is less than the door width
52	RGSS-6	148	0.6%	Combustible hazard on lot affecting the MH
53	RSSC-5	146	0.6%	Storage cabinet structurally unsound
54	REPC-3	143	0.6%	MH power supply cord spliced
55	REPC-2	142	0.6%	Outer covering of the MH power supply cord pulled away from plug
56	RMGC-1	141	0.6%	More than one flexible connector being used for MH
57	REFA-3	139	0.6%	The MH feeder assembly is damaged, deteriorated or improperly connected
58	RREG-1	137	0.6%	Hasp or lock on MH exit doors
59	RSAE-4	132	0.5%	Awning/carport structurally unsound
60	RGSS-1	127	0.5%	Structural hazard on lot affecting the MH
61	RGSS-3	124	0.5%	Plumbing hazard on lot affecting the MH
62	RSAW-4	121	0.5%	Metal awning/carport installed across the lot line or within three feet from the adjacent structure

11/15/98

MOST COMMON MOBILEHOME PARK VIOLATIONS (RESIDENTS)

#	VIOLATION CODE	NO. OF VIOLATIONS	PERCENT	VIOLATION DESCRIPTION
63	RSSW-2	120	0.5%	Stairway risers exceed 8 inches in height
64	RSBW-2	118	0.5%	Awning/carport not freestanding
65	RGMU-1	116	0.5%	More than one MH, RV on a lot
66	RPDS-6	116	0.5%	Drain lines under MH not supported
67	RSSK-2	116	0.5%	Wood skirting enclosure in contact with the ground
68	RMWH-3	113	0.5%	Water heater not protected from the weather
69	RPDS-3	113	0.5%	RV being occupied permanently without an approved drain line connected to the lot inlet
70	RSBW-3	112	0.5%	Awning/carport constructed of combustible materials and within three feet from the lot line
71	RSSC-3	109	0.4%	Non combustible storage cabinet installed within three feet from the adjacent MH or accessory structure
72	RSBW-5	107	0.4%	Awning/carport structurally unsound
73	RMWH-5	103	0.4%	Water heater P&T relief valve inoperable
74	RSGR-2	101	0.4%	Non complying guardrail on porch/deck
75	RSAB-3	100	0.4%	Combustible awning/carport enclosure installed within three feet from the lot line
76	RSAB-2	98	0.4%	Awning enclosure is being used as a habitable room
77	REFA-2	96	0.4%	Two power sources to the MH
78	RMLP-4	93	0.4%	LP gas vessels stored inside, beneath an accessory structure or MH
79	RSHR-2	93	0.4%	Stairway handrail height is non complying
80	REPC-5	88	0.4%	Power supply cord not equipped with a listed male attachment plug
81	RMMA	85	0.3%	Gas meter enclosed or obstructed restricting ventilation and not accessible
82	REPC-7	84	0.3%	More than one power supply cord to the MH
83	RPWS-3	80	0.3%	MH not connected to the lot water supply with an approved connector
84	RNPT-2	79	0.3%	MH altered without permits
85	RPMS-2	78	0.3%	Waste water from clothes washer, sink being discharged on the ground
86	REPC-8	73	0.3%	Unapproved adapter on the power supply cord
87	RGAN-1	73	0.3%	Domestic animals running at large
88	RGMU-2	73	0.3%	Truck camper removed from truck and stored on lot
89	RFEG-2	70	0.3%	MH required egress doors are blocked
90	RSSW-5	67	0.3%	Stairway width is less than door width
91	RSCB-1	61	0.3%	Cabana structurally unsound
92	RGIN	60	0.2%	MH offered for sale, rent without a department insignia of approval
93	REMP	55	0.2%	MH electrical panelboard missing cover and exposing live electrical conductors

11/15/98

MOST COMMON MOBILEHOME PARK VIOLATIONS (RESIDENTS)

#	VIOLATION CODE	NO. OF VIOLATIONS	PERCENT	VIOLATION DESCRIPTION
94	RSSW-4	53	0.2%	Stairway risers exceed 1/4 inch tolerance
95	RSGR-4	50	0.2%	Porch/deck gaurdrails are structurally unsound
96	RSCB-2	47	0.2%	Cabana constructed within three feet from lot line
97	RMWH-2	45	0.2%	Access to water heater obstructed
98	RGSS-4	44	0.2%	Mechanical hazard on lot affecting the MH
99	RNPT-3	41	0.2%	Mobilehome installed without permits
100	RSSK-3	41	0.2%	Panel for access under the MH is non complying
101	REVM-2	37	0.2%	The electrical wiring installed not sized adequately to supply outlet, device or equipment
102	REFA-4	35	0.1%	Electrical feeder assembly not enclosed in an approved flexible conduit
103	RSSW-7	34	0.1%	Inadequate clearance from water heater to combustible materials
104	RMGC-4	28	0.1%	MH flexible gas flex connector is damaged
105	RSSW-3	26	0.1%	Stairway tread run exceed 1/4 inch tolerance
106	RMLP-2	25	0.1%	Excessive LP gas vessels on the lot
107	RMWH-4	21	0.1%	Inadequate combustion air to water heater
108	REPC-9	20	0.1%	The power supply cord rating is less than the total connected load for the MH
109	RMWH-6	20	0.1%	Inadequate clearance from water heater to combustible materials
110	REGR	10	0.0%	The MH does not pass the electrical ground test
111	RMLP-3	9	0.0%	Inadequate clearance to the LPG tanks
112	RMMT	5	0.0%	Mobilehome connected to natural gas but the gas supply system is approved for LP only



MOBILEHOME PARK INSPECTION - RESIDENT INFORMATION BOOKLET

- * *Contains important information for residents of mobilehome parks regarding inspections, violations and code requirements.*
- * *Please read about the planned inspection of your mobilehome park and lot.*
- * *Save this booklet until after the inspection of your mobilehome park is completed.*

Important Information for Residents of Mobilehome Parks About Inspections, Violations and Code Requirements

Notice of Planned Inspection

California Health and Safety Code Section 18400.1 requires that all mobilehome parks in this State be inspected once every five (5) years for compliance with State laws and regulations. The California Department of Housing and Community Development, Division of Codes and Standards will be conducting an inspection of the general areas, buildings, equipment, and utility systems of your mobilehome park, and each individual lot. A NOTICE OF PLANNED INSPECTION has been posted in a conspicuous location within the mobilehome park. The inspection will be conducted within 30 to 60 days of the "Date Posted" shown on the NOTICE OF PLANNED INSPECTION.

Using this Booklet

This booklet is issued prior to the Department's inspection and contains important information about the inspection, violations, and related issues. The Department encourages residents of mobilehome parks to review the information on how to inspect your own lot for possible violations, many of which can be easily corrected by the resident before the Department's inspection.

Scope of Inspection

The inspection will include the park's general areas, buildings, equipment and utility systems for proper maintenance and code compliance. Inspection of your lot will include utility connections, accessory structure maintenance, separation requirements, use of extension cords, fire hazards, rubbish and other health and safety issues. The inspection will also include a check for current registration of your mobilehome or manufactured home.

Interior Inspections

Under normal circumstances, the Department will not be entering your home while conducting the inspection. The inspector may request entry only when conditions observed from the exterior of your home suggest that a potential hazard and or substandard condition exists within the home. However, the right to grant or refuse entry into your home is up to you.

If the inspector requests entry and you permit the inspector to enter, you will be asked to sign a statement acknowledging your permission. The permission will authorize only the inspector to enter your home on the date you specify. If you refuse entry, the inspector may seek a search warrant in order to gain entry based on the possible existence of a hazard or substandard condition.

Preparing for Inspection

In preparation for the inspection you should take the following steps:

1. Display evidence on the exterior of your mobilehome/manufactured home, of current registration or Local Property Taxation status. If exterior decals or plates are unavailable please provide current registration documents to the inspector for review or temporarily display current registration documents inside a window until the inspection of your lot or park is complete.
2. Fix all leaking plumbing.
3. Fix damaged awning structures.
4. Remove unapproved electrical wiring.
5. Remove all debris, rubbish, and combustible material stored around or under the home.
6. When repairing stairs or steps, do so in compliance with the illustrations in the back of this booklet.
7. Read about commonly found violations beginning on page 4.

Notice of Violation

If the Department's inspection discovers a violation on your lot or home, you will receive a Notice of Violation by U.S. mail listing the violations to be corrected.

The Notice of Violation will also list violations which are technical in nature but do not present a hazard. Such identified violations will not be required to be corrected.

Time Allowed for Correction

The Notice of Violation will allow 30 calendar days to correct most violations. Violations which present an imminent health and safety hazard will be required to be corrected immediately.

Reinspections

After the expiration of the time allowed for correction, the Department will conduct reinspections to verify compliance with any issued Notice of Violation.

Inspector Identification

The Department of Housing and Community Development Inspector will be wearing a blue vest bearing the Department logo which incorporates the State Seal as shown on the cover of this booklet. The Department's inspectors also carry identification cards with their facial photograph. To ensure your privacy and safety, you may ask the inspector entering your lot for identification.

Legal Actions

Legal action to obtain a misdemeanor conviction for failure to comply with an issued Notice of Violation is rare and avoidable. Such action is taken only when a resident refuses to make corrections of conditions presenting hazards to occupants of the home, adjacent homes, or the general public.

Items For the Park Resident to Inspect

Prior to the Department's inspection, the Park Resident may eliminate many violations by inspecting your lot and facilities. Use the following information as a guide for your inspection.

1) Power Cords

A manufactured home/mobilehome or recreational vehicle that is powered through a large rubber-coated type electrical cord, should be inspected to insure that:

- a. The covering on the cord is not cracked or deteriorated.
- b. The area of the plug is not damaged or pulling away from the cord.
- c. The cord has not been cut and spliced.
- d. The power cord plug has not been removed and the cord is not directly wired to the park.
- e. The power cord is listed/approved for manufactured home/mobilehome or recreational vehicle use.
- f. The cord is not buried in the earth or encased in concrete.
- g. The manufactured home/mobilehome does not have more than one power supply cord.
- h. An adapter, if used, is an approved type and is not more than 12 inches in length.
- i. The power cord is not rated less than the electrical load of the manufactured home/mobilehome or recreational vehicle. Example: The manufactured home/mobilehome cord is rated at 30 amperes and the manufactured home/mobilehome load is 50 amperes.

2) Feeder Assemblies

A manufactured home/mobilehome or recreational vehicle that is electrically connected the lot electrical service by a flexible metal conduit (feeder assembly), should be inspected to insure that:

- a. The conduit is not buried or in contact with the earth.

- b. The conduit provides continuous, complete protection of the electrical conductors inside.
- c. No more than one "feeder assembly" is utilized to provide a power supply to your manufactured home/mobilehome.

3) Wiring Methods

The general electrical conditions affecting the manufactured home/mobilehome or recreational vehicle should be inspected to insure that:

- a. Extension cords are not used in lieu of permanent wiring. If there are appliances or other equipment installed outside a manufactured home/mobilehome which require continuous electrical power, an approved wiring means must be provided.
- b. The cables and conductors for electrical wiring installed outside a manufactured home/mobilehome are protected against physical damage by installing materials such as conduit.
- c. The electrical equipment installed outdoors is approved for wet or damp locations.
- d. All the parts or components of the electrical equipment of the manufactured home/mobilehome or recreational vehicle, or for accessory uses, are installed so that no energized parts are exposed.
- e. The lot electrical service equipment is accessible. Remove any storage or permanent construction which obstructs access. Unobstructed access of 24 inches wide and 78 inches high is required in front of equipment.
- f. The manufactured home/mobilehome or recreational vehicle is electrically grounded to prevent electrical shock.

Note: If you believe that one or more of the above conditions affect the electrical system of your manufactured home/mobilehome or recreational vehicle, it is recommended that you consult a professional for assistance and correction of the condition. Permits are required prior to the installation of any electrical wiring.

4) Debris and Combustible Storage

The area under and around the manufactured home/mobilehome or recreational vehicle is to be inspected and any accumulation of combustible debris or stored material such as paper, leaves, dry grass, scrap wood material, etc., is to be removed.

5) Appliances

Appliances installed outside of the mobilehome, manufactured home or recreational vehicle are to be located out of direct weather, such as placed under an awning. Electrical power to an outdoor appliance is to be provided only through a permanent wiring means; extension cords are not permitted.

6) Emergency Exiting

To assure safe exiting during an emergency, remove any obstruction which would prevent the exterior doors from opening. Hasps and padlocks that are installed on the exterior of your home are to be removed; exit doors which are locked from the outside cannot be opened if you are trapped inside.

7) Multiple Units on a Lot

Only one manufactured home/mobilehome or recreational vehicle may be installed on an individual lot. Exception: A self-propelled recreational vehicle or truck-mounted camper may be parked on the lot when it is used as a means of transportation. The self-propelled unit may not be connected to any utilities or interconnected to the other unit on the lot. A camper, intended for truck mounting, may not be removed from the truck and placed on the lot. A truck camper shell is not considered a camper.

8) Mobilehome or Recreational Vehicle-3 Feet From Lot Line

A manufactured home/mobilehome or recreational vehicle must have the required 3-foot clearance from a lot line. Exception: A manufactured home/mobilehome or recreational vehicle may border on a roadway within the park. If the unit is placed within 3 feet of a lot line, except at a roadway, relocation may be required.

9) Registration

A manufactured home/mobilehome or recreational vehicle is to be currently registered and is to display the appropriate registration, license plates, or local property taxation decal. Display evidence of the current registration or local property taxation status or provide evidence to the park management or to the Department of Housing and Community Development inspector.

10) Approval Insignia Required on Rented Homes

A manufactured home/mobilehome or recreational vehicle which is rented or leased must have the Department's Insignia of Approval or Federal Label of Approval. The insignia represents that the unit met minimum construction requirements in effect at

the time of manufacture. The insignia may be found at the rear of the unit or in the area near the front door. If the unit does not bear this Insignia or Label of Approval, contact the owner of the manufactured home/mobilehome or recreational vehicle. The owner must apply to the Department for an inspection of the manufactured home/mobilehome or recreational vehicle to obtain an insignia.

11) Substandard Manufactured Home/Mobilehome or Recreational Vehicle

A manufactured home/mobilehome or recreational vehicle in substandard condition may be ordered removed from a park unless the substandard conditions are repaired. Substandard conditions include:

- a. Structural hazards such as deteriorated floors, buckled walls, deteriorated roof members, etc.
- b. Electrical hazards such as bare wires, unprotected cables/conductors, open splices, etc.
- c. Improper plumbing such as leaking fixtures.
- d. Mechanical hazards such as unvented or improperly vented gas appliances.
- e. Faulty weather protection including leaks in the roof, broken windows, damaged siding, etc.

12) Animals

Domestic animals shall be kept fenced, leashed, tied, or within the manufactured home/mobilehome and the lot maintained reasonably clean of domestic animal waste.

13) Gas Meter

The gas meter provided on the lot must be accessible and in a well-ventilated location.

14) Gas Connectors

The condition of the gas system connector should be inspected. It should be a single flexible gas connector not over 6 feet in length, approved for exterior use, and must not be buried or otherwise in contact with the earth.

15) Propane Gas Tanks

When a manufactured home/mobilehome or recreational vehicle is supplied gas by external propane tank(s), the tank(s) should be inspected to insure that:

- a. There are not excessive containers and vessels on the lot. Hitch-mounted containers and two gas containers of more than 12, but less than 60 gallons gross capacity may be installed within 10 feet of the manufactured home/mobilehome or recreational vehicle.
- b. The containers are secured in place to prevent accidental overturning.
- c. The containers are at least 10 feet away from the manufactured home/mobilehome or recreational vehicle, if the tank capacity exceeds 60 gallons.
- d. The containers are not stored under or inside any manufactured home/mobilehome or accessory structure, such as a storage shed.

16) Gas Lines

If the gas piping system has been extended to reach the park's gas inlet, the extension pipes must be supported. Support the pipe with metal hangers at maximum intervals of 4 feet or on piers at least 6 inches above ground with supports at maximum intervals of 6 feet. A manufactured home/mobilehome or recreational vehicle that has copper tubing for a gas line may only be connected to propane gas. If natural gas is being supplied, the piping must be changed to steel (permit required) or the unit must be disconnected from the natural gas and be connected to a propane supply. Natural gas can damage copper gas lines.

17) Water Heaters

The water heater of the manufactured home/mobilehome or recreational vehicle should be inspected for minimum safety requirements to insure that:

- a. The gas water heater is properly vented to the exterior of your home.
- b. Access to the water heater is unobstructed.
- c. The water heater compartment is weather tight.

- d. The water heater has a functional pressure temperature relief valve. Valve piping shall be extended to the underside of the manufactured home/mobilehome with galvanized or copper pipe the same size as the valve opening.
- e. There are adequate openings into the compartment for combustion air.
- f. The water heater has the required clearances from its vent and water heater sides to any combustible walls.

Note: If you believe there is a problem with your water heater or its installation, it is recommended that you refer to the water heater manufacturer recommendations or consult a professional.

18) Permits

If any of the following changes have been performed without a valid permit, you are encouraged to obtain a permit prior to the Department's park inspection in order to avoid possible penalties:

- a. Installation, construction, or alteration of: (1) any building, structure, or accessory building; (2) any electrical, mechanical, or plumbing equipment; (3) any fuel gas equipment; (4) any fire protection equipment within a manufactured home/mobilehome or recreational vehicle park.
- b. Alteration of a manufactured home/mobilehome or recreational vehicle requires a permit from the Department of Housing & Community Development.
- c. Installation of a manufactured home/mobilehome within the park requires a permit from the enforcement agency.

19) Sewer Drains

The sewer drain connector on the manufactured home/mobilehome or recreational vehicle should be inspected to insure that the system is:

- a. gas tight and leak free;
- b. sloped to drain 1/8 inch per foot;
- c. supported at 4-foot intervals;
- d. constructed of ABS plastic, schedule 40, for manufactured home/mobilehomes and recreational vehicles which are occupied as a residence and/or located year around in a mobilehome park. Flexible hose type drains for recreational vehicles are acceptable for temporary connections only.

20) Water Supply Connector

The fresh water supply connector on the manufactured home/mobilehome or recreational vehicle should be inspected to insure that it is leak free and made of an approved flexible material such as copper tubing not less than 1/2 inch interior diameter.

21) Guardrail for Porches/Decks

The guardrails for a porch or deck that is at least 30 inches or more above grade, should be inspected to insure that:

- a. The rail is installed at least 36 inches in height above the floor.
- b. The openings between intermediate rails are not more than nine inches.
- c. The railings must be structurally sound.

Refer to the drawings on the back of this booklet.

22) Handrails for Stairs

Any stairway to a manufactured home/mobilehome or accessory structure (deck, porch, room addition, etc.) with two or more risers (steps), should be inspected to insure that the handrails comply with the following:

- a. Stairs serving porches having the floor 30 inches or more above grade shall be equipped with intermediate rails spaced not more than 9 inches.
- b. Handrails shall be not less than 30 inches nor more than 34 inches in height, as measured vertically from the nosing of stair treads.
- c. Handrails and intermediate rails shall be structurally sound. Secure any loose rails.

Refer to the drawings on the back of this booklet.

23) Skirting

The skirting of a manufactured home/mobilehome should be inspected to insure that the ventilation and access under the manufactured home/mobilehome complies with:

- a. A minimum 1 1/2 square feet of ventilation is required for each 25 linear feet of skirting. The openings for ventilation shall be provided on at least two opposite sides as close to the corners as possible.

- b. Where wooden materials are used for skirting, any wood in contact or within 6 inches of the earth must be decay resistant wood, such as redwood.
- c. When skirting is installed, an underfloor access panel is required. The panel must be located within 20 feet of the utility connections and must be at least 4 square feet in size with no dimension less than 18 inches.

24) Stairways

The stairways at each required exit door are required to be safe and stable and should be inspected to insure that:

- a. The stairway risers do not exceed 8 inches and all risers must be equal, $\pm 1/4$ inch.
- b. The stairway treads are not less than 9 inches in length and all treads must be equal, $\pm 1/4$ inch.
- c. The stairway width equals or exceeds the door opening width.

Refer to the drawings on the back of this booklet.

25) Stairway Landings

A stairway landing is required when an exterior door of a manufactured home/mobilehome swings outward and should be inspected to insure that:

- a. The landing, when required, is no lower than 1 inch below the bottom of the home's door.
- b. The landing width and length size is not less than the door width.

Refer to the drawings on the back of this booklet.

26) Awning or Carport Enclosure

Awning enclosures are permitted for recreational use only, and any combustible components must be a minimum of 3 feet from a lot line, except a lot line bordering on a roadway.

27) Awnings/Carports

The awnings and carports of a manufactured home/mobilehome should be inspected to insure that:

- a. Missing, damaged, or unanchored supports are repaired and are installed within 12 inches of vertical.
- b. Combustible components of awnings and carports are a minimum of 3 feet from a lot line. Awnings and carports may extend to the lot line which borders a roadway.
- c. Wooden awnings and carports are free standing.
- d. Metal awnings and carports do not project over the lot line and must be a minimum of 3 feet from any manufactured home/mobilehome or accessory structure on an adjoining lot.

28) Cabana (Room Additions)

Room additions to manufactured home/mobilehomes should be inspected to insure that minimum standards for weather protection, electrical wiring, plumbing, and structural integrity are met. Also assure that there is at least 3 feet separation to the lot line.

29) Storage Cabinets

Guidelines for storage cabinets:

- a. A permit is not required if a storage cabinet is not in excess of 100 sq. feet.
- b. No more than two storage cabinets with a combined square footage of 100 square feet may be installed on one manufactured home/mobilehome lot.
- c. A combustible storage cabinet may not be installed within 3 feet of a lot line, except a lot line which borders a roadway.
- d. A noncombustible storage cabinet may be installed to the lot line provided it is at least 3 feet from a manufactured home/mobilehome or accessory structure on an adjoining lot.

30) Miscellaneous Structures

Garages, greenhouses, or storage buildings should be inspected to insure that:

- a. The setback to the manufactured home/mobilehome is a minimum of 6 feet (garages with one hour fire wall construction may be adjacent to the manufactured home/mobilehome).

- b. Combustible construction of the garage, greenhouse or storage building is a minimum of 3 feet to the lot line, except where the garage, greenhouse, or storage building borders a roadway within the park.
- c. The structural system is adequate and in good condition.

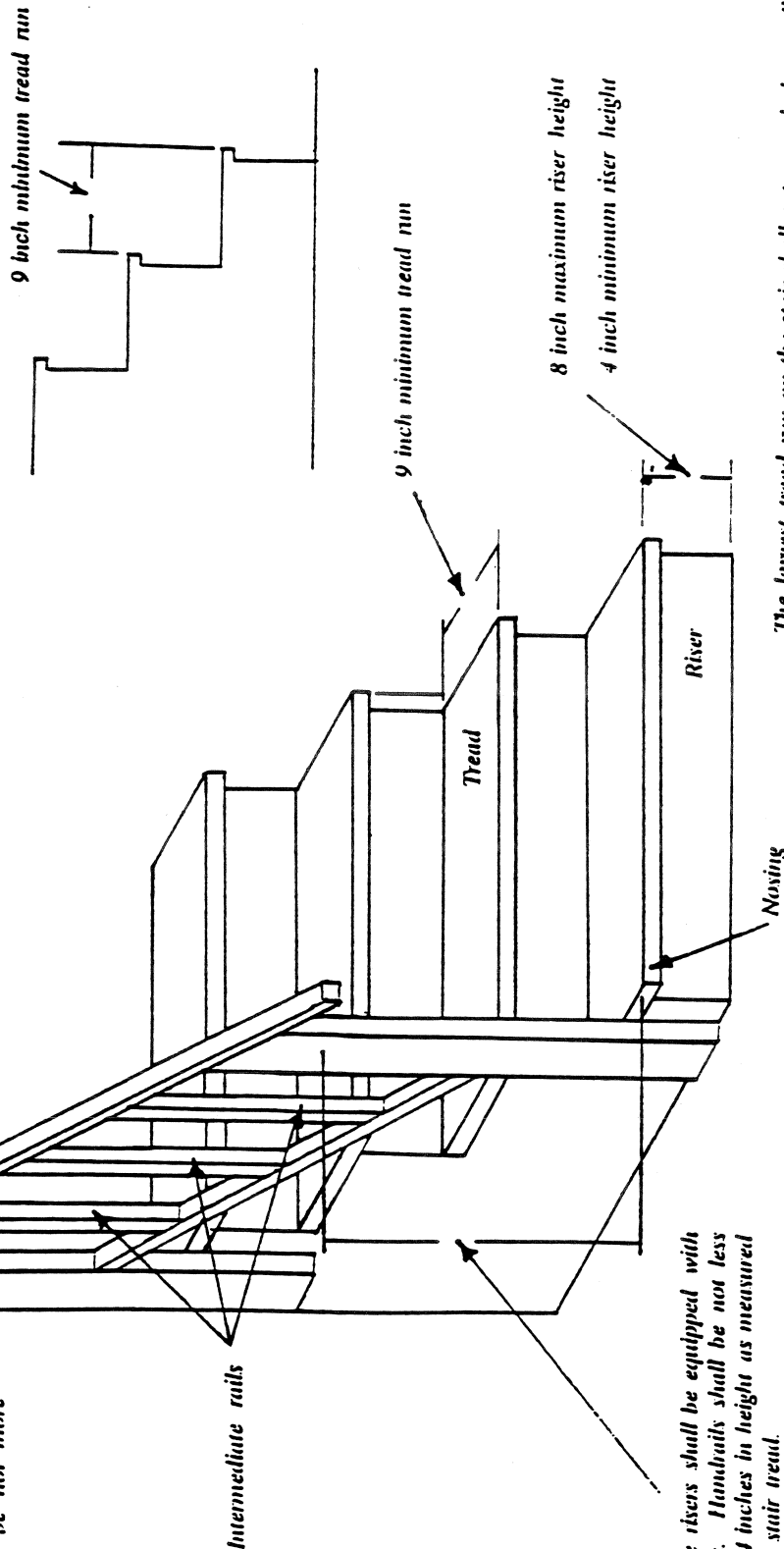
The handgrip portion of handrails shall be not less than 1 1/4 inches nor more than 2 inches in cross-sectional dimension or the shape shall provide an equivalent gripping surface. The handgrip portion of handrails shall have a smooth surface with no sharp corners.

NOTE: Stair shown with handrail on one side is for illustration purposes only. Stairways shall have handrails on each side except that stairways less than 44 inches in width or 30 inches or less in height may have a handrail on one side only.

The openings between intermediate rails in open-type railings shall be not more than 9 inches.

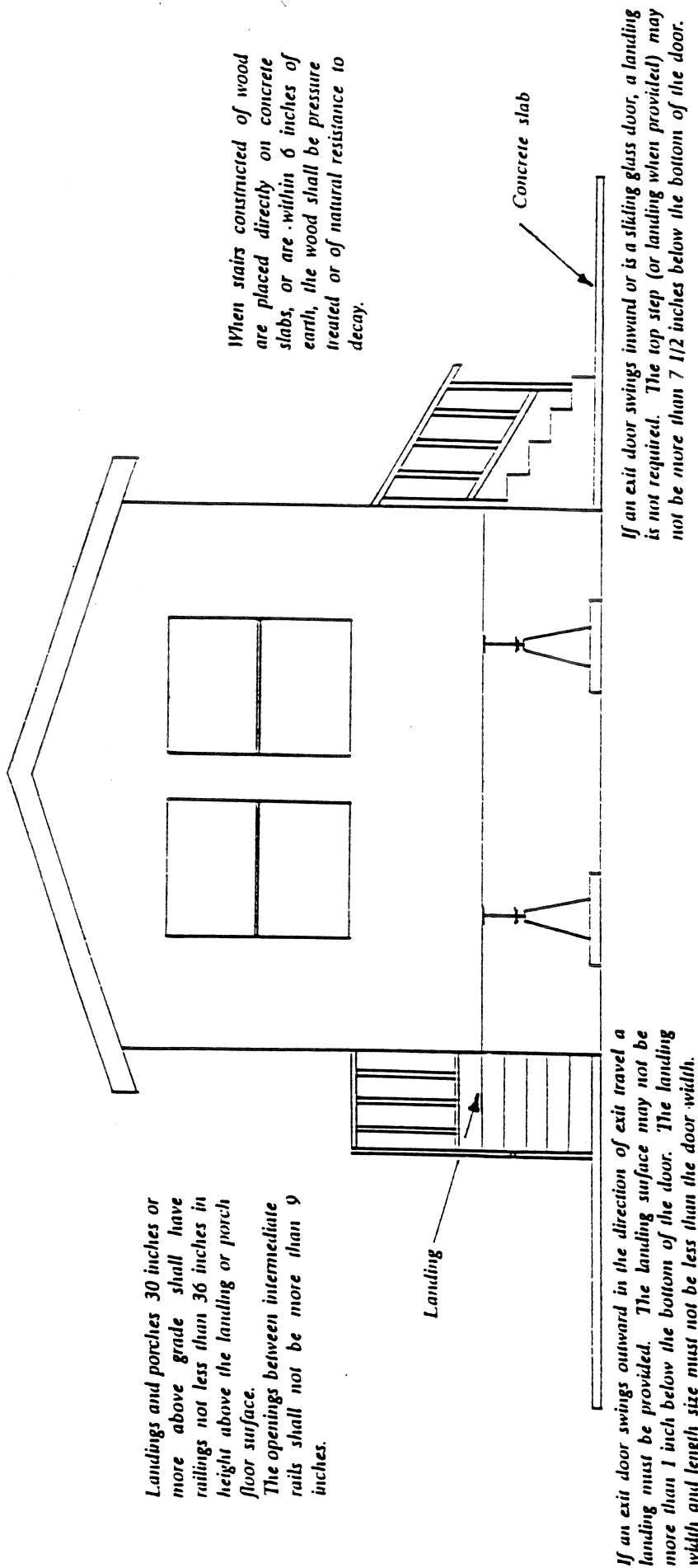
Intermediate rails

Every stairway with two or more risers shall be equipped with handrails and intermediate rails. Handrails shall be not less than 30 inches nor more than 34 inches in height as measured vertically from the nosing of the stair tread.



The largest tread run on the stair shall not exceed the smallest tread run by more than 1/4 inch. The greatest riser height on the stair shall not exceed the smallest riser height by more than 1/4 inch.

Example: If the height of the first riser is 7 inches the remaining risers shall not be less than 6 3/4 inches nor more than 7 1/4 inches.



NOTE: The illustrations and descriptions herein are simplified for clarity. Refer to the California Code of Regulations, Title 25, Chapter 2, for the specific codes governing mobilehome/manufactured home stair construction.

990-S

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