

Date of Hearing: June 27, 2012

ASSEMBLY COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

Norma Torres, Chair

SB 149 (Correa) – As Amended: May 25, 2012

SENATE VOTE: 31-3

SUBJECT: Mobilehomes and special occupancy parks: permit invoice: notice.

SUMMARY: Requires the Department of Housing and Community Development (HCD) or a local enforcement agency to include on the annual invoice for a permit to operate a mobilehome park or special occupancy park notice of the Mobilehome Residency Law and the Recreational Vehicle Park Occupancy Law, as applicable to the park.

EXISTING LAW

- 1) Regulates, pursuant to the Mobilehome Residency Law (MRL), the relationship between park owners or managers and residents in mobilehome parks and manufactured housing communities (Civil Code §798 et seq.).
- 2) Directs HCD to regulate, pursuant to the Mobilehome Parks Act (MPA), the construction, installation, use, maintenance, and occupancy of mobilehomes and mobilehome parks (Health and Safety Code Section 18200, et seq.).
- 3) Gives local agencies the option of assuming enforcement authority of the MPA and its implementing regulations within their jurisdiction through agreement with HCD (Health and Safety Code Section 18300).
- 4) Requires mobilehome park owners to obtain a permit to operate from HCD or the local enforcement agency and renew the permit on an annual basis (Health and Safety Code Section 18506).
- 5) Regulates, pursuant to the Recreational Vehicle Park Occupancy Law, the relationship between park owners or managers and park occupants in recreational vehicle parks (Civil Code §799.20, et seq.).
- 6) Directs HCD to regulate, pursuant to the Special Occupancy Park Act (SOPA), the construction, maintenance, occupancy, use, and design of recreational vehicle parks (Health and Safety Code Section 18200, et seq.).
- 7) Gives local agencies the option of assuming enforcement authority of the SOPA and its implementing regulations within their jurisdiction through agreement with HCD (Health and Safety Code Section 18865).
- 8) Requires recreational vehicle park owners to obtain a permit to operate from HCD or the local enforcement agency and renew the permit on an annual basis (Health and Safety Code Section 18870.7).

FISCAL EFFECT: Unknown

COMMENTS:

The Mobilehome Residency Law (MRL) is California's landlord-tenant law for mobilehome parks, extensively regulating the rights, responsibilities, obligations, and relationships between mobilehome park owners and managers and park residents. The Recreational Vehicle Parks Occupancy Law is the analogous law for recreational vehicle parks.

The Mobilehome Parks Act (MPA) directs the Department of Housing and Community Development (HCD) to regulate mobilehome parks to assure protection of the health, safety, and general welfare of all mobilehome park residents. The Special Occupancy Parks Law (SOPA) is the analogous law for recreational vehicle parks. HCD has adopted statewide regulations to enforce both acts' provisions. Local agencies have the option of assuming enforcement authority of the MPA and the SOPA within their jurisdiction through agreement with HCD. Among these enforcement duties is performing health and safety inspections of parks.

The MPA and the SOPA require each mobilehome park and recreational vehicle park annually to pay a fee and obtain a permit to operate from either HCD or the local enforcement agency. SB 149 requires HCD and local enforcement agencies to include in each annual permit-to-operate invoice a notice of the MRL and the Recreational Vehicle Parks Occupancy Law, as applicable to the park.

The author chairs the Senate Select Committee on Manufactured Housing and Communities and introduced SB 149 to broaden knowledge of the MRL and the Recreational Vehicle Park Occupancy Law at the least cost to the state. While California has nearly 5,000 mobile and manufactured home parks, the author reports that only about 1,500 parks are members of professional trade associations that provide ongoing education for their members, including knowledge of and updates to the MRL. The situation is similar for recreational vehicle parks. The select committee staff reports that owners and managers of mobilehome parks and recreational vehicle parks that are not members of trade associations are sometimes entirely unaware that the MRL and the Recreational Vehicle Park Occupancy Law exist even though they are bound by their provisions. SB 149 attempts to make owners aware of the laws that are applicable in their parks.

REGISTERED SUPPORT / OPPOSITION:

Support

Western Manufactured Housing Communities Association

Opposition

None on file

Analysis Prepared by: Anya Lawler / H. & C.D. / (916) 319-2085