

CALIFORNIA STATE SENATE SELECT COMMITTEE ON MANUFACTURED HOME COMMUNITIES

2015-2016 LEGISLATIVE SESSION

Mobilehome Residency Law and related bills

Updated 2016 May 9

BILLS	SUBJECT	HISTORY (most recent action listed first)
AB 349 Gonzalez	<p><b>Common interest developments: property use and maintenance</b>                      Makes void a provision of the governing documents or architectural or landscaping guidelines or policies that prohibits use of artificial turf or any other synthetic surface that resembles grass. Further, prohibits a requirement that an owner of a separate interest remove or reverse water-efficient landscaping measures upon the conclusion of the state of emergency, as specified.</p>	Chapter #266 (Statutes of 2015)
AB 428 Nazarian	<p><b>Income tax credit: seismic retrofits</b>                      Would have allowed a tax credit in amount equal to 30% for any seismic retrofit construction, with “at-risk” certification, and other specifications.</p>	Vetoed
AB 476 Chang	<p><b>Taxation: homeowners’ exemption and renters’ credit</b>                      Would have increased, with specifications, homeowners’ exemption from \$7,000 to \$25,000. Would have increased, with specifications, renters’ credit for qualified renters to \$428 and \$214 for adjusted gross incomes of \$50,000 and \$25,000 respectively.</p>	Dead
AB 571 Brown	<p><b>Property taxation: property statement: change in ownership statement: penalty</b>                      Among other provisions, authorizes the local tax assessor to abate tax penalty if the assessee establishes that the failure to file the property statement or change in ownership statement within the specified time period was due to reasonable cause and circumstances beyond the assessee’s control and occurred notwithstanding the exercise of ordinary care in the absence of willful neglect.</p>	Chapter #501 (Statutes of 2015)

<p><b>AB 587</b> Chau</p>	<p><b>Mobilehomes: assessments: nonpayment or late payments</b> As amended 2015 Jun 23</p> <p>Would, with specifications, 1) waive outstanding tax assessments on mobilehomes under VLF, as specified; 2) allows the current owner of a mobilehome to pay taxes reasonably owed from the date of sale, as specified; and 3) prohibit eviction from a mobilehome park for nonconformance of registration/title, as specified, when application for title is made prior to 1/1/2017.</p>	<p>S/Transportation &amp; Housing Cmte A/Floor – Passed 78-0 A/Appropriations Cmte – Passed 17-0 A/Judiciary – Passed 10-0 A/Housing &amp; Community Devel. – Passed 7-0</p>
<p>AB 596 Daly</p>	<p><b>Common interest developments: annual budget report</b> Requires a CID's annual budget report of a condominium project to include a separate statement describing the status, including any change, of the CID as a FHA- and VA-approved condo project.</p>	<p>Chapter #184 (Statutes of 2015)</p>
<p>AB 657 Achadjian</p>	<p><b>Property taxation: change in ownership reporting</b> Would have, in the case of probate, required the statement of change of property ownership that is subject to local property taxation, as specified.</p>	<p>Dead</p>
<p>AB 682 Williams</p>	<p><b>Electric and gas service: master-meter customers</b> Allows voluntary conversion of electric and natural gas master-meter service at mobilehome parks, as specified. Requires the state Dept. of Housing and Community Development to inspect alteration or conversion, as specified.</p>	<p>Chapter #581 (Statutes of 2015)</p>
<p>AB 697 Chu</p>	<p><b>Personal income tax: credits: senior citizen renters</b> Would have allowed, as specified, a tax credit in an amount equal to the increase of a qualified resident, in specified counties, who is defined as a senior citizen meeting certain low-income requirements.</p>	<p>Dead</p>
<p>AB 786 Levine</p>	<p><b>Common interest developments: property use and maintenance</b> Authorizes a homeowners association (HOA) to impose a fine or assessment against a homeowner of a separate interest that receives recycled water from a retail water supplier, as defined, and fails to use that recycled water for landscape irrigation.</p>	<p>Chapter #780 (Statutes of 2015)</p>
<p>AB 807 Stone</p>	<p><b>Real estate transfer fees: recorded documents</b> As it relates to ROPs that are CIDs, requires changes in how property transfer fees are calculated and recorded.</p>	<p>Chapter #634 (Statutes of 2015)</p>

<p>AB 999 Daly</p>	<p><b>Mobilehomes: disposal</b> Authorizes mobilehome park management, upon written notice, to streamline the removal of an abandoned mobilehome and its contents left upon the premises by a tenant or lienholder under specified circumstances. Would also require written notification requirements, among other provisions.</p>	<p>Chapter #376 (Statutes of 2015)</p>
<p><b>AB 1040</b> Ting</p>	<p><b>Property taxation: change in ownership</b> As amended 2015 Jul 6</p> <p>As it may apply to common interest developments, in regards to change of ownership or control of limited liability company or corporation, this bill would require a person or legal entity acquiring ownership interests to file a change of ownership statement with the State Board of Equalization, as specified.</p>	<p>S/Governance &amp; Finance Committee A/Floor – Passed 79-0 A/Revenue &amp; Taxation – Passed 9-0</p>
<p>AB 1331 Oberholte</p>	<p><b>California Alternate Rates for Energy program: income verification</b> Would have required that CARE program participants who fail to respond to an income verification request shall be permanently barred from self-certified reenrollment in the CARE program.</p>	<p>Dead</p>
<p>AB 1448 Lopez</p>	<p><b>Personal energy conservation: real property restrictions</b> Makes any provision of a governing document, as specified, void and unenforceable if it effectively prohibits or unreasonable restricts the use of a clothesline, or as otherwise defined, in an owners' backyard, excepting reasonable restrictions. Would only apply to backyards that are designated for the use of the owner.</p>	<p>Chapter #602 (Statutes of 2015)</p>
<p><b>AB 1720</b> Wagner</p>	<p><b>Common interest developments: meetings</b> As amended 2016 Apr 4</p> <p>Would require the board to permit a person who represents a member to attend board meetings, with written notice, as specified.</p>	<p>A/Housing &amp; Community Dev. - Failed 1-4. Reconsideration granted.</p>

<p><b>AB 1736</b> Steinorth</p>	<p><b>Personal income taxes: deduction: homeownership savings accounts</b> As amended 2016 May 3</p> <p>Would create a homeownership savings account (HSA), with specifications, which includes “mobilehome” in the definition of principal residence.</p>	<p>A/Revenue &amp; Taxation (May 9) A/Housing &amp; Comm. Dev – Passed 7-0</p>
<p><b>AB 1799</b> Mayes</p>	<p><b>Common interest developments: association governance: elections</b> As amended 2016 May 3</p> <p>Would exempt from election requirements an election of directors if election is uncontested, as defined.</p>	<p>A/Floor – Third Reading A/Housing &amp; Community Dev. – Passed 7-0</p>
<p><b>AB 2085</b> Irwin</p>	<p><b>Military and veterans: legal aid</b> As amended 2016 Apr 11</p> <p>Would, with specifications, create the Office of Military Legal Assistance as specified, which would facilitate the delivery of legal assistance programs to current and former military personnel in the state.</p>	<p>A/Appropriations – Suspense File A/Veterans Affairs Cmte – Passed 9-0</p>
<p><b>AB 2351</b> R.Hernandez</p>	<p><b>Mobilehome parks: rent control</b> As amended 2016 Apr 18</p> <p>Would repeal Civil Code 798.17, deleting the exemption from local rent control for rental agreements longer than 12 months.</p>	<p>A/Housing &amp; Community Devel. – Failed. Reconsideration granted.</p>
<p><b>AB 2362</b> Chu</p>	<p><b>Common interest developments: pesticide application</b> As amended 2016 May 2</p> <p>Would require a CID to provide notice, with specifications, to an owner or tenant of a separate interest, under certain circumstances, if pesticide is to be applied without a licensed pest control operator, as specified.</p>	<p>S/Rules A/Floor – Passed 76-0 A/Judiciary Committee – Passed 9-0 A/Environ. Safety &amp; Toxic – Passed 5-1</p>

<p><b>AB 2675</b> Chiu</p>	<p><b>Sales and use tax exclusion: income taxes credits: electric vehicle infrastructure</b> As amended 2016 May 2</p> <p>Would allow an annual tax credit for the purchase of an electric vehicle infrastructure for use at a qualified dwelling, which includes a mobilehome park.</p>	<p>A/Revenue and Taxation (May 9)</p>
<p><b>AB 2881</b> Cmte on Judiciary</p>	<p><b>Mobilehome park residents: short-term rental notice</b> As amended 2016 Apr 12</p> <p>Among other provisions in the bill, would require mobilehome park residents, who list their homes for short-term tenancy on hosting platforms (i.e., airbnb.com), to refer to their rental or lease contract for restrictions that would limit such listings.</p>	<p>A/Floor – On Consent A/Appropriations – Passed 10-0 A/Judiciary Committee – Passed 10-0</p>
<p>SB 244 Vidak</p>	<p><b>Mobilehome: injunctions</b> Removes the sunset provision on MRL’s Civil Code 798.88.</p>	<p>Chapter #176 (Statutes of 2015)</p>
<p>SB 290 Vidak</p>	<p><b>Common interest developments: assessment collection: foreclosure: notice</b> Would have allowed the CID board to serve notice of foreclosure of a lien for delinquent assessments to an owner’s representative, as provided.</p>	<p>Dead</p>
<p>SB 419 McGuire</p>	<p><b>Mobilehomes: homeowners: sale</b> Authorizes a seller to display one sign of a generally accepted type design, as specified; allow park to establish reasonable rules governing conduct of open houses; requires management, upon written request, to provide to the seller, in writing, the info and standards management will use to review a prospective homeowner.</p>	<p>Chapter #288 (Statutes of 2015)</p>

<p><b>SB 434</b> Allen</p>	<p><b>Manufactured housing: vehicle license fee: property taxation</b> As amended 2015 May 20</p> <p>Would require the assessor to transfer a manufactured home from the vehicle license fee to local property where the assessor finds that the MH has been rebuilt to the substantial equivalent of a new residential structure, as specified; and would restructure the tax valuation, as specified.</p>	<p>A/Housing &amp; Comm. Devel. Committee S/Floor – Passed 38-0 S/Governance &amp; Finance Cmte – Passed 6-0 S/Trans. &amp; Housing Cmte – Passed 9-0</p>
<p><b>SB 477</b> Leyva</p>	<p><b>Property tax postponement: mobilehomes and floating homes</b> As amended 2015 Aug 18</p> <p>Would authorize a qualified owner of a mobilehome to seek postponement of taxes, as specified, under provisions similar to other owners of real property.</p>	<p>A/Appropriations – Held A/Revenue &amp; Taxation – Passed 9-0 A/Local Government Cmte – Passed 7-0 S/Floor – Passed 40-0 S/Appropriations Committee – Passed 7-0 S/Governance &amp; Finance Cmte – Passed 7-0</p>
<p><b>SB 552</b> Wolk</p>	<p><b>Public water systems: disadvantaged communities: consolidation or extension of service</b> As amended 2015 Jul 7</p> <p>Would allow a community within a mobilehome park to be qualified as a “disadvantaged community”, for the purpose of receiving adequate supply of safe drinking water, under the California Safe Drinking Water Act, with specifications.</p>	<p>A/Rules S/Floor – Passed 31-5 S/Appropriations – Passed 5-0 S/Environmental Quality – Passed 6-0</p>
<p>SB 801 Cmte on Governance and Finance</p>	<p><b>Property tax postponement</b> Removes references regarding the eligibility of mobilehome properties to participate in the Property Tax Postponement program, but adds references specifying that co-op properties are eligible.</p>	<p>Chapter #391 (Statutes of 2015)</p>
<p>SB 803 Cmte on Gov. &amp; Finance</p>	<p><b>Property taxation</b> Under tax law, deems that a change in pro rata ownership interest in a mobilehome park (i.e. ROP) not be considered a change in ownership, as specified.</p>	<p>Chapter #454 (Statutes of 2015)</p>

<p><b>SB 918</b> Vidak</p>	<p><b>Common interest developments</b> As amended 2016 Apr 7</p> <p>Would require owners of separate interests in the CID to annually provide to the association specified information for the purpose of receiving notice of an assessment lien; would require the association to try to personally serve the owner on at least 3 occasions; and would suspend any action to enforce a lien by the association for up to 90 days when an owner requests to meet and confer.</p>	<p>S/Floor S/Judiciary Committee – Passed 6-0</p>
<p><b>SB 944</b> Cmte on Transp. &amp; Housing</p>	<p><b>Omnibus bill</b> As amended 2016 Mar 28</p> <p>Non-controversial changes 1) would change the time in which management of a MHP must file a notice of disposal with HCD from 10 to 30 days after the date of sale; and 2) would require, as specified, mobilehome parks to meet the standards for “housing for older persons” contained in the federal Fair Housing Act.</p>	<p>S/Floor – Third Reading S/Appropriations Cmte – Passed 7-0 S/Transp. &amp; Housing Cmte – Passed 10-0</p>
<p><b>SB 1092</b> Monning</p>	<p><b>Advertising: internet private residence rental listings: notice</b> As amended 2016 Apr 21</p> <p>Would require the offerer of accommodations to review their homeowners’ or renters’ insurance policy for any restrictions on coverage related to short-term rental activities, as specified.</p>	<p>S/Floor – Third Reading S/Judiciary – Passed 6-0</p>
<p><b>SB 1106</b> Leyva</p>	<p><b>Mobilehome parks: code enforcement</b></p> <p>Would authorize the Director of Housing and Community Development, or a local enforcement agency that has assumed jurisdiction, to issue citations that assess additional civil penalties to a park owner or mobilehome owner when he or she has permitted the continuation of a violation for at least 30 days after the expiration of a notice to correct the violation.</p>	<p>S/Floor – Third Reading S/Appropriations – Passed 7-0 S/Judiciary Committee – Passed 7-0 S/Transportation &amp; Housing – Passed 11-0</p>

<p><b>SB 1126</b> Stone</p>	<p><b>Property taxation: inflation factor: senior citizens</b> As amended 2016 May 4</p> <p>Would provide that the annual inflation rate factored into real property taxes does not apply to a person who owns a manufactured home.</p>	<p>S/Appropriations (May 16) S/Governance &amp; Finance – Passed 7-0</p>
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