

CALIFORNIA LEGISLATURE

Hearing of  
THE SENATE SELECT COMMITTEE ON  
MANUFACTURED HOMES  
AND COMMUNITIES

Senator Lou Correa, Chair  
Senator Elaine Alquist  
Senator Ellen Corbett  
Senator Tom Harman  
Senator Alex Padilla  
Senator Mark Wyland

TRANSCRIPT AND REPORT:  
**Mobilehome Park Wildfire Safety and  
Emergency Preparedness  
Part 2**

February 6, 2009  
Los Angeles Mission College  
Sylmar, California

## TABLE OF CONTENTS

- I. Agenda and Background Paper
- II. Witnesses
- III. Transcript of Testimony
- IV. Staff Summary & Comments
- V. Appendix

A G E N D A

a n d

B A C K G R O U N D P A P E R

**Senate Select Committee on Manufactured Homes & Communities**  
**February 6, 2009, 11 a.m. – 2:30 p.m.**  
**Los Angeles Mission College Auditorium - Sylmar, CA**  
**Mobilehome Park Wildfire Safety & Emergency Preparedness, Part 2**

**AGENDA**

11 a.m.	<u>Call to Order</u> <u>Introductory Remarks</u>	Senator Lou Correa, Chair Senator Lou Correa Senator Alex Padilla Other Members, Elected Officials
11:30 a.m.	<u>Scheduled Testimony</u> Homeowners & Mobile Home Owner Associations	Samii Taylor, Windsor Group Tim Sheahan, GSMOL Glenn Bell, Neighborhood Friends Milt Burdick, CoMo-CAL  <u>Individual Homeowners:</u> Gary Gibson, Canoga Park Eleanor Brooks, Sylmar Homeowner Rep., Oakridge (tentative)
	Mobilehome Park Industry	WMA, Bert Caster Park owner, Oak Tree Ranch, Ramona
	Governmental Agencies	<u>Fed. - FEMA</u> Mark Neveau, Region IX Coordinator <u>State - Dept. of Housing (HCD)</u> Kim Strange, Deputy Director Sal Poidomani, Southern Region Manager Div. of Codes & Standards  <u>State - CalEMA (formerly OES)</u> Tom Maruyama <u>State – CA Dept. of Insurance</u> Tony Cignarale, Deputy Commissioner <u>Local Government</u> Jim Featherstone, City of Los Angeles Emergency Management Dept. Gen Mgr. County of L.A. – representative’s name not available at time of agenda’s printing
2 p.m.	<u>Public Comment</u>	Unscheduled Testimony – time allowing
2:25 p.m.	<u>Closing Remarks</u>	Chair and Members
2:30 p.m.	<u>Adjournment</u>	

**Senate Select Committee on Manufactured Homes & Communities**  
**Hearing: Mobilehome Park Wildfire Safety and Emergency Preparedness, Part 2**  
**February 6, 2009, 11 a.m. – 2:30 p.m. – Los Angeles Mission College, Sylmar, CA**

**HEARING INFORMATION PAPER**

**Purpose**

This is the second of two hearings on wildfire related issues affecting mobilehome parks and manufactured homes. The purpose of the hearings is to review fire safety in manufactured homes and parks that are located in areas vulnerable to wildfires by requesting input from interested parties, such as mobilehome owners, mobilehome park owners, the state Department of Housing and Community Development (HCD), local governments, and fire agencies, among others in order to assess whether there is a need for legislative changes for fire safety. The first hearing in Sacramento on December 2, 2008 focused on emergency regulations proposed by HCD to upgrade fire code requirements for manufactured homes located in wildfire prone areas. The second hearing in Sylmar, on February 6, 2009, will delve into issues relating to emergency preparedness, evacuation, clearance of vegetation or “defensible space,” code enforcement conflicts and budget problems, and related issues. Written information or documentation is encouraged for the record. The Sylmar hearing will be recorded for transcription, and the committee will publish a transcript and report at a later date.

**Information Summary**

There are almost 4,800 mobilehome parks in California housing an estimated 700,000 or more residents. Code requirements for the construction of manufactured homes and mobilehomes in the factory are established by federal law and HUD regulations. However, the state Department of Housing and Community Development (HCD) - under the Manufactured Housing Act and the Mobilehome Parks Act (MPA) - regulates health and safety code requirements, including fire code, for the installation of these homes in mobilehome parks as well as code requirements for the park common areas, roadways, utilities, and spaces/lots. This is generally done by inspection at the time a park is built or when manufactured homes are installed on the lots, or later upon a complaint, or a full park inspection under the Mobilehome Park Maintenance (MPM) inspection program. Increasing incidents of wildfires in California in recent years in which hundreds of manufactured homes and mobilehomes in at least a half dozen parks have been destroyed or damaged have brought to light questions about the need for the Legislature to take a closer look at general fire safety in mobilehome parks. The major issues that have been brought to the attention of the committee include upgrading exterior construction (roofs, siding, etc.) to better resist exterior ignition of homes in parks, creation of “defensible space” in and around mobilehome parks by better vegetation or brush control, park emergency preparedness and evacuation planning, debris removal after the fire, and problems of code enforcement responsibility, jurisdiction confusion or overlap, and lack of resources. Other issues may also arise at the hearing.

## **Background**

According to January 2009 figures from the Department of Housing and Community Development (HCD), in California there are 4,705 mobilehome parks with a permit to operate (PTO) issued by HCD. These parks have a total of 366,309 spaces or lots. Conservative estimates are that more than 700,000 residents live in these parks. Most of these are privately owned rental parks, where residents own the homes but rent or lease the spaces/lots on which their homes are installed from the park. About 150 of these parks are resident-owned subdivisions, condominiums, or cooperatives or are owned by non-profit organizations and in a few instances governmental entities. HCD figures also indicate there are 676 special occupancy (SOP) or RV parks in California with approximately 90,000 spaces accommodating recreational vehicles, park models, or small trailers for recreational or temporary use, although in reality an unknown number of spaces in special occupancy parks are occupied by permanent residents on a full-time year-around basis. Although the Legislature sets general guidelines for code enforcement for the installation of manufactured homes in parks, it vests HCD with the power to carry them through the adoption of administrative regulations, known as Title 25. HCD enforces Title 25 through inspection at the time a park is first built, or a manufactured home or mobilehome home is first installed on a lot in a park, and later upon a complaint inspection. HCD also performs inspections under HCD's Mobilehome Park Maintenance program (MPM), under which 5% of the parks statewide each year (as a goal) are to undergo a full inspection, but the MPM sunsets at the end of 2011. 74 cities and counties perform park inspections for HCD by agreement. In these cases Title 25 code standards, not local code standards, are the benchmark, with the exception that local governments assuming jurisdiction to enforce the entire Mobilehome Parks Act - both the fire and general code requirements - may adopt more stringent fire protection standards for their parks than those required by the state under HCD enforcement. Annual park PTO fees for park code enforcement, whether administered by HCD or the locals, are set by state law at \$25 per park plus \$2 per space, plus \$4 per space to support the MPM program.

In three mobilehome parks in San Diego County – in Dulzura, Fallbrook, and Ramona - more than one-hundred mobilehomes and manufactured homes were destroyed as a result of wildfires in the fall of 2007. In Los Angeles County, the October 2008 Marek wildfire destroyed 38 homes in the Sky Terrace park and in the November the Sayre fire ravaged 487 homes in Sylmar's Oakridge park. Because of these fires, as well as wildfires in Butte County and other Northern California counties in recent years affecting parks and mobilehomes to a somewhat lesser extent, inquiries have been made to the committee about the following issues.

## **Possible Issues**

Ignition Resistant Code Requirements for Mobilehomes: The committee has heard from a number of sources concerning the need to upgrade construction or installation code standards for manufactured homes and mobilehomes for fire safety. The State Building Code (Title 24, Part 2, Chapter 7A) requires upgraded ignition resistant exterior code

components (roofing, siding, doors, windows, venting, etc.) for new construction and the replacement or repair of stick-built housing located in wildfire prone areas. In response to the recent upsurge in wildfires affecting parks in 2007, HCD proposed emergency regulations in 2008 to extend these stick-built code requirements to manufactured housing located outside of parks in wildfire areas, and more recently to make such regulations applicable to manufactured housing inside parks (Article 2.3, Title 25, CA Code of Administrative Regulations). The emergency regulations for manufactured homes and mobilehomes are effective in Fire Hazard Severity Zones within State Responsibility Areas or in any Local Responsibility Area as defined in Title 24, Part 2, Chapter 7A. The committee reviewed this issue at its December 2, 2008 hearing in Sacramento. A limited number of printed copies of the December 2<sup>nd</sup> Transcript and Report will be available at the February hearing, or is available for viewing at the committee's information website under "Hearings" at [www.sen.ca.gov/mobilehome](http://www.sen.ca.gov/mobilehome)

State vs. Local Enforcement: HCD is the primary code enforcement authority over parks – although local governments retain jurisdiction for establishing zoning for manufactured homes, mobilehomes, or establishing types of uses and locations, such as senior mobilehome parks or mobilehome subdivisions within the local jurisdiction, as defined in the zoning ordinance. Local governments also retain authority to require or regulate park perimeter walls or enclosures on public street frontage, signs, access, and vehicle parking. For everything else, state law as interpreted by HCD generally pre-empts the field for code enforcement mobilehome parks (H&S Sec. 18300). Confusion sometimes develops because locals enter into agreements with HCD on a 90 day notice to assume general code enforcement in mobilehome parks, but in such cases they must utilize and enforce the state code (Title 25) requirements, not their own local standards. Currently, 74 local governments retain such enforcement authority, but locals sometimes chafe at the fact they cannot adopt more stringent code requirements as well as higher enforcement fees for parks - particularly for parks local agencies may consider substandard or “eyesores.” As such, an increasing number of locals, presumably due to budgetary considerations, have given back enforcement to HCD. Thus, HCD faces a situation where more and more locals are giving back jurisdiction for code enforcement, putting a heavier workload on the state at a time when HCD resources are stretched thin as well. Due to state budget problems, HCD is now proposing to reduce Codes and Standards personnel – presumably including some field inspectors. HCD is already short 10 field inspectors below that originally authorized at 48. The Governor's new 2009-10 budget proposes to raise fees on mobilehome parks and mobilehome owners for the first time in years, while reducing HCD personnel and presumably park inspections. If approved, park PTO fees will be raised from \$25 a year to \$140 and per space/lot fees from \$2 to \$7 each. Mobilehome registration fees will also be increased. This may encourage some local governments to keep programs they have assumed or others to assume jurisdiction, since many local governments believe funding for the program is inadequate and is often the reason for canceling their agreements with HCD in the first place. However, with further cuts in the number of field inspections, HCD park code enforcement will probably become more problematic.

Fire Authority: Who has fire authority, and to what extent, is somewhat complicated. Local governments that have assumed jurisdiction from HCD for general code enforcement in mobilehome parks, while they cannot impose more stringent health and safety (building code) requirements than Title 25, can impose their own local fire code requirements that exceed the state standard. However, due to what most local governments consider the inadequate fee structure for the park code enforcement program, many are not willing to take on the whole program in order to get greater fire authority. In December 1999, a fire in an older Compton mobilehome park in which three people died brought to light the conflict between local governments and HCD. The city of Compton did not have park enforcement authority but required the park to install fire hydrants anyway. The park appealed to HCD, but in the meantime started the process of installing hydrants. HCD later overruled Compton on the basis that state law did not require parks built before 1967 to install fire hydrants and Compton, unless they took over general park code enforcement in the city, could not require the hydrants. Because the hydrants did not work, when the fire broke out in the park the city fire department was delayed in putting out the fire, although there was no evidence the delay caused the deaths. This committee and other legislators held investigations and a hearing on this issue in 2000 and determined that, in fact, older parks were not required to have fire hydrants prior to the time the Division of Housing (now HCD) took over mobilehome park code enforcement in 1967 and that even for parks built after September, 1968, where hydrants are required, there was no state inspection or maintenance program. Several bills were introduced in the Legislature to require that all parks that did not have them phase in the installation of fire hydrants over a period of years. Those bills were not successful, but ultimately a bill (amendments to H&S Sec. 18691) was passed and signed to require HCD to establish a maintenance and inspection program for park fire hydrants, where they exist, and that carved out another exception in state law permitting local fire agencies to enforce more stringent fire prevention codes in parks regarding specific fire safety issues without having to assume the full cost of general park code enforcement. The issues over which local fire authorities may assume jurisdiction include park fire hydrant systems, water supply, fire equipment access, posting of fire equipment access, parking lot identification, weed, debris and combustible storage abatement, and burglar bars. To date only eight fire agencies have been willing to assume this partial jurisdiction for fire safety in parks, including Los Angeles County Fire, Santa Barbara County Fire, the fire departments in the cities of Huntington Beach, Mountain View, Sunnyvale, and Torrance, the Burney Fire Protection District, and the Ebbetts Pass Fire District. HCD has informed the committee that the City of Los Angeles has made inquiries about assuming such jurisdiction, but there has been no formal request.

#### Brush & Vegetation - Defensible Space

There have been concerns expressed to the committee about vegetation and brush on neighboring park properties as well as vegetation and trees inside some parks contributing to the spread of fires in parks. One e-mail to the committee contended that in some parks there are palm trees with numerous dead palm fronds, which have not been maintained, that may ignite in a wind driven fire producing fiery torches that can descend

on homes, contributing to the spread of a fire. A complaint from another park was that some vacant lots or spaces are filled with knee-high weeds that are dry and pose a potential fire hazard. Maintenance of trees, or lack thereof, in parks has been a major issue in mobilehome park communities for years. Legislation enacted in 2000 (Civil Code Section 798.37.5) provides that a park owner is responsible for maintaining and paying for the maintenance of any tree in park common areas and for the trimming or removal, and costs thereof, of a tree on a rental lot that poses a significant hazard or health and safety violation, if upon an inspection a code enforcement agency inspector determines the tree is a hazard and cites the park for a violation. HCD would have jurisdiction inside parks, although a city which has taken over general park code enforcement by agreement with HCD may have authority to impose a more stringent fire code that includes regulations for maintaining or clearing vegetation in the park. Local fire agencies normally have jurisdiction to enforce their code requirements for weed or brush abatement on properties next to but outside mobilehome parks.

Evacuation and Emergency Preparedness: As the result of recent wildfires affecting mobilehome parks, the committee has been told that in one park some residents, including a number of the elderly, did not get the word about evacuation and only got out in time after neighbors alerted emergency personnel or firemen to make a second sweep. There have also been concerns that some older parks only have one exit or entrance, creating a bottleneck for residents trying to flee a fire. One allegation in another park forwarded to the committee claimed that of two park exits to public streets, the back entrance was gated and padlocked, and the manager was not available to open the gate. Someone finally found bolt cutters to break the lock. There are some concerns that with the density of most mobilehome parks, and parks in which senior residents are often the predominant age group, there may be a greater need to adopt emergency plans for evacuation in the event of a disaster, such as a fire. The Mobilehome Parks Act (H&S Sec. 18603) provides that every park shall have someone available in person, by phone, or message or answering machine who is responsible for, and who shall reasonably respond to, emergencies concerning operation of the park, and that in parks of 50 or more units, that person or his or her designee shall reside in the park. This section also provides that a park may adopt the State of Emergency Services (OES) plan entitled: "Emergency Plans for Mobilehome Parks" as approved by the Standardized Emergency Management System (SEMS) Advisory Board, on November 21, 1997. (H&S Section 18603). State law has no mandated requirements for emergency or evacuation plans in the event of a disaster for a mobilehome park, but the OES plan, published pursuant to Executive Order W-156-97, was designed as a guide for parks to develop voluntary emergency evacuation plans and to provide information to park residents on emergency procedures. In brief the document envisions that the guidelines be implemented on a volunteer basis by a committee of residents under the leadership of the park manager and suggests, among other things, that the committee develop emergency phone contact lists, identify disabled or senior residents with special needs who may need assistance in an emergency, plan escape routes, conduct training, and hold periodic evacuation drills.

The Western Manufactured Housing Communities Association (WMA), a park owner

industry/trade association, also has produced their own “Emergency/Disaster Planning and Preparedness” booklet (2007), which like the OES guide envisions volunteer resident committees operating under the direction of park management in implementing such plans. Presumably, California parks that are WMA members have access to this plan. In December 2008, Senator Padilla introduced Senate Bill 23 (Padilla) to require that, on or after January 1, 2010, all parks develop and implement a fire safety plan and emergency services training for park managers in accordance with requirements of the State Fire Marshal and OES, including procedures for identifying and assisting residents with disabilities and health problems. The bill proposes that parks post such plans in a public place in each park and distribute plans annually to all residents and to new residents upon tenancy. SB 23 also proposes that cities and counties may adopt more stringent standards than state law for ensuring fire prevention and safety in mobilehome parks.

Debris Removal: Questions about the massive job and millions of dollars involved in debris removal after a large fire, such as in Oakridge, have also been brought to the committee’s attention. In a declared disaster, the Federal Office of Emergency Services (FEMA) has a 75-25% formula for funding the clean-up, with FEMA absorbing 75% and state and local agencies the balance. How the 25% will be divvied up is not totally clear. HCD, as the leading code enforcement authority over parks, has no available funds or emergency funding, but the city of Los Angeles is willing to step up to the plate as the leading local agency. HCD has told the committee that a plan has been worked out in which the city will assume code enforcement jurisdiction from HCD on an emergency basis for 60 days under the Mobilehome Parks Act (H&S Sec. 18307) so that the city and the state Office of Emergency Services (OES) will share some portion of the 25% cost. The committee has been told that many mobilehome owners, even those with homeowners’ fire insurance, do not have debris removal coverage, so indemnification through private insurance for the outlay of public funds will probably cover only a fraction of the cost. Two months after the fire, clearing debris at Oakridge is still awaiting a plan of action.

Insurance: Fire insurance appears to be a problem for some mobilehome owners. The committee understands that a majority of homeowners who lost homes in the Oakridge park in November had some fire coverage, but in the Sky Terrace Park, there are reports of a number of lower income homeowners who did not have insurance and will probably be permanently displaced, since they cannot replace their homes and the park – according to newspaper reports – will eventually close anyway. An article from the November 18, 2008 *Sacramento Bee* also indicates that their analysis of 2007 census data shows that about ¼ of mobilehomes statewide are not covered by homeowners or fire insurance. Many mobilehome owners own their homes out right, so there is no mortgage or loan insurance requirement. It is not clear why some mobilehome owners do not have fire insurance, other than the fact that many of them are poor, or that insurers do not want to issue policies in high risk wildfire prone areas, or insurance in such areas is expensive.

###

## **SENATE BILL No. 23**

**Introduced by Senator Padilla, December 1, 2008**

An act to add Section 18029.7 to the Health and Safety Code, re: manufactured housing.

### Legislative Counsel's Digest

SB 23, as introduced, Padilla. Manufactured housing: emergency and fire safety plan.

(1) The Mobilehomes-Manufactured Housing Act of 1980 authorizes the Department of Housing and Community Development to adopt rules and regulations governing conditions relating to the prevention of fire or for the protection of life and property against fire in manufactured homes and mobilehomes. Under existing law, a knowing violation of the act is punishable as a misdemeanor offense.

This bill would require, on or after January 1, 2010, an operator of a mobilehome park or manufactured housing community to develop and implement an emergency and fire safety plan and appropriate emergency services training for park or community managers and onsite staff. The bill would require the operator to distribute and post the plan in a conspicuous area accessible to all residents. The bill would specify that these provisions do not prohibit a city, county, or city and county from enacting an ordinance or policy to adopt more stringent standards to ensure fire prevention and public safety.

By creating a new crime or expanding an existing crime, this bill would impose a state-mandated local program.

(2)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.

This bill would provide that no reimbursement is required by this act for a specified reason. **Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.**

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

SECTION 1. Section 18029.7 is added to the Health and Safety Code, to read:

18029.7. (a) On or after January 1, 2010, an operator of a mobilehome park or manufactured housing community shall develop and implement an emergency and fire safety plan and appropriate emergency services training for park or community managers and onsite staff. The plan shall include procedures for identifying and assisting residents with disabilities and other health problems.

(b) The plan required by subdivision (a) shall be designed in accordance with requirements determined by the State Fire Marshal and the Office of Emergency Services.

(c) Each operator shall post the plan in a conspicuous area accessible to all residents and distribute a copy of the plan to each resident upon approval of tenancy and annually thereafter.

(d) Nothing in this section shall prohibit a city, county, or city and county from enacting an ordinance, regulation, or policy to adopt more stringent standards to ensure fire prevention and public safety.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

# # #

# WITNESSES

**Witnesses**  
**(in order of appearance)**

	<u>Transcript Page</u>
Milt Burdick Mobilehome Owner, Brea, CA	6
Tim Sheahan Golden State Manufactured Home Owners League	6
Wanda Waylan Resident, Sky Terrace Mobilehome Park, San Fernando	14
Linda Zuchegna Resident, Sky Terrace Mobilehome Park, San Fernando	16
Eleanor Brooks Resident, Santiago Estates Mobilehome Park, Sylmar	22
Glenn Bell President, Neighborhood Friends, Los Angeles	27
Samii Taylor Advocate, The Windsor Group	40
Tom Maruyama Director, California Emergency Management Agency	43
Gary Gibson Resident, Mountain View Estates Mobilehome Park, Canoga Park	44
Bert Caster Owner, Oak Tree Ranch Manufactured Housing Community, Ramona	49
Catherine Borg Western Manufactured Housing Communities Association	56
John Tripp Deputy Fire Chief, Northern Operations Bureau County of Los Angeles Fire Department	58

Mike Bowman City of Los Angeles Fire Department	60
Jim Featherstone General Manager Emergency Management Department, City of Los Angeles	63
Mark Nelson Assistant Fire Chief, Fire Marshall, County of Los Angeles	64
John Shelly Captain, County of Los Angeles Fire Department	66
Sal Poidomani Division of Codes and Standards, Southern Region Manager California State Department of Housing and Community Development	70
Kim Strange Deputy Director, Codes and Standards Division California State Department of Housing and Community Development	75
Tony Cignarale Deputy Insurance Commissioner, Consumer Services and Market Conduct California State Department of Insurance	76
Mark Neveau Federal Coordinating Officer Federal Emergency Management Agency, Los Angeles	87
Joe Krueger Emergency Response Team coordinator, Irvine, CA	92

# TRANSCRIPT

**Senate Select Committee on  
Manufactured Homes and Communities**

**Lou Correa, Chair**

***Mobilehome Park Wildfire Safety and  
Emergency Preparedness  
Part 2***

**Friday, February 6, 2009  
Sylmar, California**

**SENATOR LOU CORREA:** Welcome to our Mobilehome Park hearing here at Mission College.

First let's thank President Judith Valles for hosting us today. Thank you very much, Madam President.

If we could get everybody to sit down; we have a good agenda today. We're going to be a little tight on time at the back end because there's another event scheduled here. So if we can, let's get everybody settled and we'll get going here. If we can, everybody kind of move up and sit as close as you can to the front here, we promise we won't bite, scratch, or kick, so just come on up, you know, so make sure everybody can hear the conversation. We do have refreshments in the back.

Again, welcome. I'm state Senator Lou Correa, chair of the Senate Select Committee on Manufactured Homes and Communities.

This is the second of two hearings that we've had on wildfire-related issues affecting mobilehome parks and manufactured homes that have been the result of wildfires over the last couple of years that, of course, had destroyed hundreds and hundreds of homes and at least half a dozen mobilehome parks in California.

The purpose of the hearing today is to review fire safety in manufactured homes and parks that are located in areas that are essentially vulnerable to wildfires and by requesting input from the interested parties, such as mobilehome park owners and residents, as well as the State Department of Housing, Community Development, and other state and local government agencies involved. We're hoping that this information will help us assess where there is a real need for legislative changes related to fire safety in mobilehome parks.

Just for a bit of information, the first hearing that we had, December 2, 2008, focused on emergency regulations that were then proposed by HCD to upgrade fire code requirements. Those regulations are now in effect, and a transcript of that report, of that hearing, as well as other information, is available here at the back of the hearing. You can pick up a copy.

Today's hearing again will be more open ended, and it will delve into other fire-related issues, again, emergency preparedness and evacuation, clearance of

vegetation, and the creation of defensible space, code enforcement conflicts, and budgetary problems, and other such issues. I'm going to ask all of you, if you have any written information or documentation, please submit it for the record. This hearing will be recorded for a transcript, and the committee will publish that transcript at a later date.

Today's hearing will be organized into panels. We'll be having three panels. The first one will be a panel with mobilehome owners' organization advocates as well as individual homeowners. Second panel will be mobilehome park association and park owners. And the third panel will deal with governmental agencies, again, Department of Housing, Community Services, and others at the federal and local level.

At the end of the hearing, we will open it up for unsolicited, unscheduled witnesses who would like to add a few short comments. Each speaker—I would ask each one of you when you speak, if you've heard something, please don't repeat what's already been said. We will try to get out of here by 2:30. Again, if there isn't enough time to take your questions or comments, there are some blue cards here. You can fill them out and send them in. We will try to answer your questions and send you back a written response.

You know, it's very hard for many of us to read our own handwriting sometimes, let alone others. So when you write your questions, I ask you to please print clearly so that we can, you know, address your questions. If I can, I also have on this committee Senator Padilla who represents this area.

Senator, would you like to make some comments today?

**SENATOR ALEX PADILLA:** Thank you. Thank you, Senator Correa.

I just want to publicly acknowledge and thank Senator Correa for not only agreeing to have this hearing and his leadership with this committee but specifically to come into Sylmar because of what we've been through here in the northeast San Fernando Valley over the last couple of months. You know, it's easy and important to have these hearings at the State Capitol and we hear from, you know, experts from throughout the country and throughout the state. But to come to where residents have significantly been impacted in recent months and to hear the nitty-gritty details of the issues that we have to work through, I think, is both necessary and will be helpful, so I want to thank him for making the effort because coming here from Orange County on a typical day isn't the most pleasant drive. And with rain like we have today, I can't imagine what his commute was like, so I just wanted to thank Senator Correa for his commitment to do that.

Another note I want to make before talking specifically to the agenda before us is, the state budget. You know, we're going to be grappling with some tough issues today, but it's not lost on me the crisis that we're in economically throughout the country and the toll that it's taking on the state's budget, state government. And today, if you open the paper or watch the news, you'll see that pretty much in every community throughout the state somebody's being impacted, whether it's the state employee who was told not to show up to work today or just as importantly the people of California who depend and count on state programs and services. A lot of those are being threatened, the capacity of those are being threatened, the quality of those are being jeopardized because of the situation with our budget. We've been working hard in Sacramento for months and months and months. But today's hearing was so important, we needed to take that time out as

we hope we're near the end of negotiations to come down and keep this hearing, not cancel this hearing, keep this hearing. But please know, as soon as this is over, we're right back to the business that's been justifiably taking up the bulk of our time for the last several months.

And as far as the agenda here goes, I know we're going to be talking about some important, sort of global, issues as it relates to mobilehome parks and communities, things like building codes and should they or should they not be changed; enforcement and the state's capacity for enforcement and the relationship with local government. But given the lessons learned and the experiences we had, both at Sky Terrace and Oakridge, there's a couple of specific issues that, for me, anyway, have risen to the top that we also want to discuss and get to the bottom of—among them, the need for better emergency preparedness in our manufactured home and mobilehome communities, particularly in the area of evacuation plans. For those folks who lived or knew someone who lived in Oakridge, you're all too familiar with how lucky we were. We can't count on luck in the future, and it seems to me a pretty simple concept to have pre-thought an evacuation plan for folks. And the very nature of some of these communities makes it all the more important, given the density, given limited ingress and egress, given the fact that a lot of these communities throughout the state tend to be in areas kind of like Oakridge, not quite in an urban center, but not all that remote either. Maybe it's up along the foothills or in the desert but certainly susceptible to fires and other disasters from outside the perimeter of the community. So when we limit how people can get in and out in the event of an emergency, we're asking for trouble. So it seems to me, we need to be better prepared.

Number 2, I think for the most part, we had a better-than-average experience as it dealt with insurance, but it was also brought to light that a lot of residents living in mobilehomes or manufactured homes either are not insured—and frankly, there's no requirement for that today if you own outright your home. And if you do have insurance, we're hearing from a lot of people who could be categorized in an underinsured category. So these are, I think, important issues, not just to keep people whole. But when you think about rebuilding, rebuilding communities and rebuilding people's lives—and that's sort of a transition to the final piece I know at Oakridge and Sky Terrace specifically—we're currently tied in a knot of red tape when it comes to clean up and debris and where resources are going to come from to clean up the impacted areas, who's responsible for paying. We hear about state and federal funds that are available for this kind of thing, but we can't—you know, people are pointing at each other when it comes to who can be the responsible entity to draw down federal funding and begin the process of cleanup, the responsibility to be shared between the park owners and the residents. I mean, my ultimate goal is to figure out a way that people's insurance settlements can be used to rebuild their lives and not have the bulk or all of their insurance settlements go to clean up a pad and then just be left wondering how and where they're going to rebuild their lives.

I know we have many more issues beyond that to cover, but those are the three that we've been hearing about, working on a lot in my office, and we have Angel, have Gemma and Khaim from my office here. A lot of you've known them or been calling them or emailing them already, so they're here with me as well. And I

also want to acknowledge that Christine Ward is here on behalf of Assemblymember Cameron Smyth, and Yolanda Anguiano is here on behalf of Assemblymember Felipe Fuentes. So while those two representatives aren't here with us, their offices are present and working with us as well.

Thank you, Mr. Chair.

**SENATOR CORREA:** Thank you, Senator Padilla. I just wanted to add that a couple of days ago, there was another hearing in Yorba Linda. That one dealt with the fires in Orange County, a lot of the stick houses that burned down in that area, and some of the very same issues you have here are being experienced out there. We're also trying to address again these same problems through Commissioner Poizner's office as well. But I think every time we do one of these hearings, we hear from you and we learn so we can be prepared a little bit better for next time.

If we have any Assembly representatives here from other offices, please feel free to come up to the dais and sit with us.

Let's call our scheduled testimony, our first panelists, which are homeowners and mobilehome owners associations.

Windsor Group, do you have a representative from the Windsor Group? GSMOL? Making me nervous here. Glenn Bell, Neighborhood Friends; Milt Burdick. And do we have any representatives from Oakridge or Sky Terrace residents that want to come up? Good, good, good.

Okay. In terms of housekeeping, please turn off your cell phones and your pagers and what have you so you won't disrupt the hearing because it is being recorded; and number two, at the end of each one of these panels, if you have any questions, please let us know. If you want to have additional testimony, not a question but a statement, submit your name to the sergeants, so at the end of all the panelists, you can make your testimony known.

Let's start out from our left here. Sir, welcome. If you can introduce yourself, who you represent, and go ahead with your testimony. Is that on? Can you hear him?

Technician, please.

**MR. MILT BURDICK:** Hello. Okay. I guess you can hear me now.

**SENATOR CORREA:** Yes.

**MR. BURDICK:** On the agenda, I'm listed as representing Co-Mo-CAL. Actually I'm a homeowner representative from Hollydale Mobilehome Park in Brea, California, to report on the fire damage at our park in Hollydale. And also I'm a member of GSMOL. So I'm here mostly to represent all homeowners. I'm here as a total representative for some of the problems we have in the state of California. Thank you.

**MR. TIM SHEAHAN:** Tim Sheahan. Good morning, Chairman Correa and Senator Padilla, Mr. Tennyson. My name is Tim Sheahan and I own a manufactured home at Bella Vista Estates in San Marcos, San Diego County. I currently serve as president of Golden State Manufactured Homeowners League, GSMOL, and first vice-president of Manufactured Homeowners Association of America.

I appreciate the opportunity to address the committee again on the topic fire safety and emergency preparedness in our communities. We hope these hearings will shed light on how to better anticipate areas of risk and identify appropriate

measures to reduce property damage and injuries in the future. We feel in extraordinary conditions, as existed in the Santa-Ana-driven fire storms of 2007 and 2008, even with significantly higher home construction standards, the wind-fan tsunamis of flame would still have taken a devastating toll on any structure unfortunate enough to fall in the wake of the flames. We encourage restraint against excessive mandates requiring expensive home modifications unless there is a mechanism to underwrite the costs of such repairs. While there are map zones of potential areas of fire risk for the wild land urban interface zones, there is some question whether such mapping accurately considers probabilities due to typical wind patterns in firestorm events. It's my understanding that not all of the communities damaged by the firestorms of the past two years were classified as highest risk in the wild land urban interface maps.

I have with me today an aerial photograph of Oakridge Mobilehome Park showing fairly heavy vegetation surrounding the community prior to the firestorm. We urge greater coordination between state and local officials to identify fire-prone areas and take action to implement stronger standards of brush clearance to provide a defensible space surrounding these communities and create that broader zone of buffer between the flames and the communities.

We appreciate Senator Padilla's authorship of SB 23 and support the need to motivate more communities to practice emergency preparedness. There are already good programs in place to use as models to follow. Many homeowner associations and GSMOL chapters have taken it upon themselves to adopt comprehensive emergency preparedness plans and even undergo a community emergency response team or CERT training.

I have with me today a 35-page booklet from one community in San Marcos that outlines plans and procedures of a program for emergency preparedness and I plan to submit that to the committee. There are other communities that have such programs in place as well. We always encourage positive communication between homeowners and management, and this is an area where communication and cooperation are extremely important. GSMOL hopes to formulate a prototype plan for homeowners to follow that could be tailored to different situations when faced with various types of disaster, not just with fire but with earthquake, flood, or exposure to other hazardous conditions.

I want to repeat my caution to overreacting to the damage caused by the 2007-2008 firestorms. As Brian Augusta and I testified in December, we need to carefully weigh the practicality and likely benefits of new codes to that of the financial impact upon homeowners and community owners. We also need to keep the probability of damage in proper perspective. Considering there are roughly 5,000 manufactured home communities in this state, a very small percentage have suffered significant damage due to firestorms.

Our goal of providing safe and secure environments must be tempered with the affordability of such measures. We are particularly concerned with comments by representatives of community-owner groups, made at the December hearing, suggesting that homes built prior to 1976 should be automatically deemed as unsafe and unfit for in-place sale. Such a broad-brush generalization is unwarranted and if put into practice would be devastating to a tremendous number of homeowners throughout California and likely deal a fatal blow to the viability of manufactured housing as a significant source of unsubsidized

affordable housing in California. With the downturn in the economy and the baby-boomer generation entering into retirement years, the need for affordable housing has never been greater and must be preserved.

Finally, we want to thank all of those who fought the fires and have assisted affected homeowners through this disaster. And above all, our hearts go out to the homeowners who lost their homes, personal belongings, and their communities. Thank you.

And by the way, I don't know if time would allow, we have other representatives—Lenier Harper, our vice-president of GSMOL, is prepared to make a few comments and also Joe Krueger, one of our members, who lives at Meadows in Irvine who has been very involved in developing a disaster relief plan and emergency preparedness plan, and his community in Irvine would be prepared to make some remarks if time allows.

**SENATOR CORREA:** Let's do that, if we can, at the end of the panels. We'll go back.

**MR. SHEAHAN:** Okay. Thank you.

**MR. BURDICK:** I thought we were just introducing ourselves. If you want me to read my statement, I'll read my statement.

**SENATOR CORREA:** I'm sorry, sir. You had your shot. No, go ahead. (Laughter)

**MR. BURDICK:** Okay. So much for that. When you get back to Santa Ana, you ain't going back to Sacramento. (Laughter)

**SENATOR CORREA:** Why? Are there any, no further flights available? Is that what it is? Go ahead.

**MR. BURDICK:** Good morning, Committee Members. This is the second, Part 2, of the Park Safety and Emergency Preparedness. Let me say that I feel that Oakridge Park was practically destroyed in the wildfire. What better example can we use than what happened to this park? I will not go into detail on who is at fault or who isn't. Hopefully this will come out in the wash. I only relayed what happened at Hollydale Mobilehome Park in Brea.

We had similar problems in our parks, such as low or no water pressure at fire hydrants. In fact, at one hydrant, a fireman told me they had to use a sledgehammer to open the valve. Even today the hydrant still leaks and has not been repaired. All the fire department could do was use the hydrants to fill their pumper trucks to fight the fire. I had been told the city of Downey was the fire department that fought the fire around our park. I verify that. I went and visited the Downey Fire Department and gave them a couple of dozen donuts and thanked them for saving Hollydale Mobilehome Park, so they were in fact the fire department.

We lost home, Space 7, which burnt to the ground. See Attachment A. This (was) caused by winds of 30 to 50 miles an hour and dead fronds from 60-foot palm trees on a nearby space. Park management, Sierra Management, and two HCD inspectors were aware of the dead fronds and other tree problems in Hollydale but took no action to request or order Sierra Management to correct them. Note 1 to trim—Note 1—I've got a note down at the bottom of the page here. It says: Lee Kort and Michael Scott, the owners of Sierra Management. To avoid lawsuits, Kort and Scott have set up LLPs and LPs in each park they own and manage, so they get layers and layers of protection.

I filed a written complaint, plus I asked the Brea Fire Department for help. Brea Fire Department stated the very fronds that destroyed Space 7 were too high to be a fire hazard. So after Space 7 burnt to the ground. I sent the fire chief an email with the mobilehome burnt to the ground, I said, here's your dead fronds that are not a fire hazard.

The burning fronds, plus the sparks, that destroyed Space 7 were high up. The burning fronds, plus the sparks and wind, ignited Space 7. The sparks and burning fronds entered the home and burnt the inside out. The mobilehome skirting was in poor shape because of the intense fire at Space 7, plus the wind, embers, and fronds caught the tree in Space 8 on fire and damaged the home. This tree was hanging over the roof on Space 8. This is one of the very trees I showed the two HCD inspectors when I filed my complaint on Form HCDOL-419 in May 2008. No action by HCD on my complaint. See Attachments A and B, which are photos, on Space 7 and 8, plus the palm trees. Many, many trees at Hollydale need trimming. Homeowners made many written and verbal requests for trees to be trimmed but Sierra Management said, and continue to say, it is the homeowner's responsibility to trim the trees, not the park. Because of Sierra Management's negligence, we have lost one home, another damaged, although Sierra paid for the repair of Space 8 and found a place for the 91-year-old woman in Space 7 to live. See Attachment E.

On See Attachment E on the history of 798.37.5, Correa's bill, AB 862, this attachment explains about what was discussed by the guy about what he thinks about the bill, and he will not even come out to check and see if the trees are a health and safety problem.

Manpower. The manpower problem that HCD has is not HCD's fault. The fault is the economy and the fault is getting worse, and we can expect less inspection and less help from HCD and other governmental agencies because they just do not have the manpower or the money or the funds. Under Gray Davis, we had—we filed a complaint on the form. HCD would come out at least, would investigate the complaint. Now they will not investigate them. They don't have the manpower to do it. It isn't that they don't want to. They can't.

According to the hearing about tree trimming inside the mobilehome park—the common area, space lots, and areas outside the park—will continue to require more enforcement by someone other than forcing homeowners to seek court action. Ninety-eight percent or higher of mobilehome owners do not have the funds or the expertise, nor do they want to take the time to seek legal action until the next wildfire or some other disaster strikes, such as an earthquake.

Another area of concern is the lack of knowledge by city officials. An example, in the city of Brea. The person handling the emergency seemed to treat us like apartment dwellers, has limited knowledge of the manufactured homeowner law. In fact, she said the city of Brea will not take action because of the fact that the park owners may evict the senior citizen because she's unfit to live there because of disabilities. I advised her that under Sec. 798.56 there are seven reasons for eviction from a mobilehome park. One of those seven reasons is not disability. So I sent her a letter and explained it to her and she chose not to respond. I don't know why. Some of you have noted, I'm quite blunt on things when I say things.

Insurance is another area of concern. This is a major concern with mobilehome owners in the park, especially if you have a mobilehome that was built prior to 1974. You can't get insurance. The homeowner in Space 8 has been trying for a long time to get homeowners insurance but said he can't find a company that will insure his home because of the year it was built—1968. Luckily, the park paid for his damage.

What we need is a state law, like they have for auto drivers, with a bad record called *assigned risk* and require all insurance companies that do business in California to insure these older mobilehomes on a lottery-style system and share the costs of insuring these because most of these people that have these older mobilehomes are senior citizens, low-income people that can't afford to pay a higher fee for this, so we should have an assigned-risk policy.

As for debris removal, it took two weeks to get Sierra Management to put a safety fence around the lot, Lot 8 and Lot 7, the one that burnt to the ground, but they did after Brea threatened to take legal action if they didn't. Even after that, Sierra Management hired people to remove the debris of Space 7. The persons they hired, one, did not have a contractor's license; two, no workmen's comp; three, no city license; four, they were paying these people below minimum wage; five, possibly these workers were illegal workers with no safety equipment doing the job. I filed a complaint with the Contractors Licensing Board of California. They came out; they inspected; they shut down the job. To this day, that space is still not clear.

Evacuation and emergency preparations. Hollydale has zero. We were in chaos—we were in whatever in the hell you want to call it. We didn't know what in hell we were doing when the fire hit and the police came with their bullhorns to get the hell out of the park. Some of the people are senior citizens and, you know, for the senior citizens sitting out there—you guys aren't senior citizens yet so you don't know this but you're going to find out—you don't think too clearly when you get older. You're slower to react to things. Well, the police are telling people, it's an emergency, get out. They're confused and scared. So what do you when you get confused and scared? You hide. You don't leave your mobilehome; you stay. So a good percent of the people at Hollydale Mobilehome Park did not evacuate. And if it wasn't for the county fire department, we would have lost some lives at Hollydale Mobilehome Park.

Sometime ago, I asked the Brea chief to hold some drills for Hollydale. He told me the request must come from Sierra Management. I requested Sierra Management to contact the city on these procedures. No action. Sierra Management did nothing. I asked the city of Brea to get a list of homeowners who would need help in an emergency so as our chapter local we could help these people, make sure they get out of the mobilehomes and so forth. The city of Brea says they can't do it. It has to come from Sierra Management. I asked Sierra Management for a list of the people. They wouldn't give it to me.

Homeowners, on being removed from the park because of disability, I sent an email to the city on this issue and stated that—oh, okay. That's the one I already talked about, 798.56. When the fires hit Hollydale, it was confusion. Homeowners did not know what to do or where to go. The police came through the park with bullhorns. They said, evacuate the park, but no instruction to follow. A

certain percentage of the homeowners either did not hear to call or refused to leave. Some were too old and had nowhere to go. Fear had set in.

Senator Padilla's SB 23 will be of some help in this area. See Attachment E. We need to bring order out of chaos. Next time, we may not be so lucky as to have zero death in both of these parks and fewer injuries.

I have some of these statements I'm making here on the table over there, but this one is the only one that has the attachments. So if you want attachments, you have to contact me. This is for the committee. I'll bring it.

**SENATOR CORREA:** Thank you very much.

Our next panelist.

**MR. BURDICK:** And that concludes my report. Thank you for allowing me to speak.

**SENATOR CORREA:** Thank you.

**MS. WANDA WAYLAN:** My name is Wanda Waylan. Can you hear me?

**SENATOR CORREA:** Wanda?

**MS. WAYLAN:** My name is Wanda Waylan. I'm a resident of the Sky Terrace Mobilehome Park.

**SENATOR PADILLA:** Would you speak more directly into the microphone? Point it to you.

**MS. WAYLAN:** My concerns are mostly for the way that we were evacuated from our homes. To reiterate on my colleague's comments, we were woke up at 5 o'clock in the morning, told to get out; we need to evacuate now. Nobody told us to grab what you can and get out. Our homes did not burn until 24 hours later. When we left our homes, we went down to the bottom of the hill and we sat there because we did not know what we were supposed to do. I went to the Park and Ride where other people had been evacuated. They didn't know what to do. I went to work. When I got off work, I went back up to the hill where the sheriffs would not allow us to go back to our homes. There was not a smoke fume in the sky. The wind was not blowing. They would not allow us. At first they told us they would allow us to go into our homes in about three hours so that we could gather some things. My son and I waited all night. I spent the night on that hill at Paxton and Lopez Canyon waiting to go back to retrieve something from my life.

In the morning when the winds kicked up—and the winds were horrific—and I understand being evacuated and, living at Sky Terrace what I have been through—this would have been my third fire. The other two fires were closer to my home than this one. We were never evacuated for the first two fires, never.

My question basically now is why we weren't told to grab what we could and get out because obviously we had 24 hours. The other question is, I have relocated to Bermuda Estates which is in Mission Hills. There's one exit to that mobilehome park and it scares me to death every time that I drive to my new residence thinking, "How am I going to get out of here if something happens?" I am almost at the end of the park where there's no exit. And knowing that Blue Star had the same problems with their evacuation—meanwhile, we were evacuated; they are down the hill from us. They were never told to evacuate until it was almost too late for them.

I understand that there's a one-way road access to Lopez Canyon, but there is a back route that a lot of people didn't know. A lot of people didn't even know that there were homes there. We lived there. I expected to live the rest of my life

there. I did not want to come down off the hill. I cannot go back there. They won't allow us. There are many, many reasons why they won't allow us.

Another thing is about the weed abatement. Every year we got notices to clear our property because we know we are in a fire-danger area. I lived on the side of the hill. I always feared, that if we ever had a fire, I was going to be the first one hit. My home got hit from the front and the back. When I saw my home burning on the news that next morning, it was devastating. And then to watch the newscast and see the water being sprayed on old tires and storage sheds instead of people's homes, you don't know how heartbreaking that was.

**SENATOR CORREA:** What do you mean by water being sprayed on tires and...

**MS. WAYLAN:** When the camera crews from the helicopters, or whoever, was flying over our homes when we were burning, they panned the whole area and I could see my son's car on fire and the back of my home where there are two oak trees that never got trimmed. We had to weed abate our property every year. Every year we got notices about weed abatement, but they never trimmed the trees behind my property; they never trimmed the trees on the other side of the fence, which were huge pine trees. I used to ask them every year, please trim those trees for me. They're on the other side of the fence. They're on the hill. They're not on my property. But I knew, if a fire came up there, that my home would be gone.

**SENATOR CORREA:** Do you know—is that private or public property?

**MS. LINDA ZUCHEGNA:** It was private property. It was owned, the entire mountaintop, was owned by the company that owned our mobilehome park and it was their responsibility. And in previous years, they did a very good job of clearing the brush, hundreds of feet. I'd say, minimum, 50 feet if not sometimes a 100 feet. They sheered the entire, all the brush from the hillside. From the last couple of years, they didn't, and we've got numerous photos. We've got documentation showing how bad the brush clearance was, how dense the brush. On the areas that were the park's responsibility, even the fire, it was so dense, that even the fire did not destroy all of it as it's intertwined.

You see deep brush intertwined, old-growth plants. Along the parks, those portions of the park, they were the park's responsibility. On a terraced park, behind each home, is a slope. The slope was the park's responsibility. We have a little plot of land that we are responsible for. And every year, we're notified, clear you weeds, which we did. But the slope, it's fenced off. We don't have access to it. It's just simply a slope behind each of our homes. That brush was not cleared for the last two years. They did not do a very good job of clearing that brush. As a result, we basically had dried tinder right up alongside the backside of our homes. And like Wanda, my home was also on the end. She was right below me. And we had pine trees that were on the hillside. On the opposite side of the fence from our spot, our place that we're responsible for, whose boughs were growing in, both Wanda and I would get up there and try and cut with our own tools the branches away from our homes, but there's only so much that we can do and only so much cost that we can incur for the park's responsibility.

I'm going to give it back to Wanda.

**MS. WAYLAN:** Anyway, that was one of my concerns.

**SENATOR CORREA:** Can you touch a little bit more on the burning tires?

**MS. WAYLAN:** Okay. When...

**SENATOR CORREA:** Were these off cars that were there or what happened with that?

**MS. WAYLAN:** Okay. Sky Terrace Mobilehome Park is situated on a hill next to Valley Crest landscaping and Sky Terrace Storage. They had containers which they rented to people for storage and also truck storage, diesel trucks. At the bottom of our residence and at the top of our residence, at the very, very top of the hill, they stored old tires. And when I was watching my home burn and they would pan...

**SENATOR CORREA:** Now was this in the park or at this storage place, which sounds like a separate business altogether?

**UNIDENTIFIED SPEAKER:** Adjacent.

**MS. WAYLAN:** There are probably two separate businesses.

**MS. ZUCHEGNA:** It's our understanding, but again it's very murky. As we try to get answers regarding this, we get different stories from different people. But it's my understanding that the people who ran the tire-storage facility leased the land from the company that owns that mountain, so they were leasing that land. They did have, according to the previous manager of our park who was our manager for several years, they had permits. Now whether that's true or not or whether she was misinformed, I don't know.

**SENATOR CORREA:** Let me have a moment to introduce Councilmember and former State Senator Richard Alarcón.

**MS. ZUCHEGNA:** Good morning.

**COUNCILMEMBER RICHARD ALARCÓN:** Good morning. I just wanted to sort of enlighten Senator Correa about the Sky Terrace.

First of all, it is not—it is on the border of the city of Los Angeles.

**SENATOR CORREA:** Okay.

**COUNCILMEMBER ALARCÓN:** It is not in the city boundaries, and there are a number of uses that are, in any other neighborhood would be considered a nuisance, and certainly the residents probably consider them a nuisance as well that are not in the city of Los Angeles. So the county has jurisdiction and, frankly, you know, I believe much more needs to be done by the county. But in the aftermath of the Marek fire, because their properties are in a general area of Lopez Canyon—in fact, they're right next door to what used to be a landfill. When I closed the landfill about ten years ago, we set aside a community benefits agreement fund that is under the control of the council district, and I have a community-advisory committee that works with me on how to spend that money. So we set aside some of the money that went to the victims of the Sayre and Marek fires. It is also provided to them. So the city of Los Angeles doesn't have a lot of jurisdiction here. I don't believe the county has been doing an adequate job of protecting the residents at Sky Terrace.

**MS. ZUCHEGNA:** I would agree with Mr. Alarcón.

**COUNCILMEMBER ALARCÓN:** And there might be a way that the state could work with the county to do a better job.

**MS. ZUCHEGNA:** But, however, we're really—it's not about placing blame. At this point nothing's going to bring our homes back or the pets that we lost in those homes when we did not have time to get them out.

**SENATOR CORREA:** Let me just tell you, the reason I even just asked about the burning fires is because, I know that once those fires, those tires, catch fire, you literally cannot put them out.

**MS. ZUCHEGNA:** They cannot be distinguished. They will simply burn themselves out.

**SENATOR CORREA:** For storage of those tires to be where they're at, it raises an issue for me, a public-safety issue.

**MS. ZUCHEGNA:** Absolutely. And in terms of it being a nuisance, it wasn't so much that we considered it a nuisance. We did not know it existed. This area was fenced off. We were not allowed to go up there; and most of us have no interest in going up there. We didn't know what it was. I had lived there for 22 years, and it wasn't until after the fire, I went around with my camera taking photographs and I was absolutely dumbfounded. I had no idea that they were storing those tires there. And I'm sure, that even if they had permits, that those permits did not allow the quantity, the volume of tires, that were stored there. There were literally thousands of them, thousands and thousands, and we have the photos because, yes, the rubber eventually becomes a toxic mess into the air. But the rims, the steel belts, remain. And those steel belts that normally just lie flat—and they turn orange because they rust in the water—those rims are lying everywhere; and in some places, they're several feet deep with thousands of rims remaining from the tires that were there—burnt out trucks where the rims are stacked feet high, several feet high, in the back ends of trucks that were burned out. That was on the top of our mobilehome park, and we did not know it was there—trust me.

There were some tenants in our park that were very vocal in advocating for safety issues. Had we known it was there, we would have addressed this issue in the past, and you probably would have received numerous letters from us drawing attention to it. And then down below, I should say, that they also allowed trucks. It was supposed to be a storage unit for...

**SENATOR CORREA:** Let me introduce, interrupt you real quickly...

**MS. ZUCHEGNA:** Yes. I'm sorry.

**SENATOR CORREA:** ...to introduce Mr. John Tennyson, our lead consultant of this committee. He has a question for you.

**MS. ZUCHEGNA:** Yes.

**MR. JOHN TENNYSON:** I understand where you're going with this tire issue. But from the state perspective and a policy issue, I think there's an important question that needs to be asked, and that is, Is this tire storage and diesel-truck storage business within the mobilehome park, or is it on separate property owned by the park? That's a key point, as far as we're concerned.

**MS. ZUCHEGNA:** You know, it seems to me that that could be a legal issue. Anyone could say, you know, all that separates them was a chain-link fence, a chain-link fence. That's it. And actually, the gentleman who oversees the upkeep of our park, his home was in that tire store facility. Now that's not his fault. That's where his dwelling was located, so there's definitely a crossover. But like I said, all that separated it was a chain-link fence. From the very first row, there's a terrace. Again, there's the first row of homes, a terrace, and then a flat area. And it was that flat area that the tires were being stored. How long? I don't know.

**MR. TENNYSON:** Okay. Thank you.

**UNIDENTIFIED SPEAKER:** John, all same parcel.

**MS. ZUCHEGNA:** It's the mountaintop. But, you know, just real quick, because I don't want to suck up too much time. I want to give time to others. But when we're looking at changing things for the future, just as California recently fought to have emission standards that would be specific to our region, it's not out of bounds to have future mobilehomes built to codes that reflect the region in which those homes will—maybe in one area they need to have better flood protection, maybe made of materials that would be less likely to mildew or be damaged in water.

In our area, clearly in Southern California, they need to be made of more fire retardant materials but that is something that will be expensive, and we know that the manufacturers are going to fight it. But one simple, very simple, thing that could be done today is concrete, cinderblock walls. In our park, one row of houses survived unscathed, completely unscathed, while the homes above it burned and the homes below it burned. And the only difference on that row was that the home that was adjacent in the same location to Wanda and my home, it was the home right above me, as a matter of fact, was a home that was surrounded on the hillside by a concrete wall. That was not done by the park. That was done by one of the previous owners of that home, and thank goodness it was, or the people who live on Row 6, all of their homes mostly likely would have been gone as well, but all of those homes survived intact, unscathed. And the only difference between that row and the rows above it which burned to the ground and the rows below it that burned to the ground was a concrete wall and adequate brush clearance. There was trees growing on the slope but they were not growing into that owner's home whereas our homes—they were growing into our homes.

**SENATOR CORREA:** I guess my question would be, if I can interrupt you, you know, we can always look at, for example, addressing the density issue. These parks are very dense in terms of homes being right next to each other. Do you have more separation? Do we come up with—Senator Padilla appears to be working on the issue of evacuation plans. Do we come up with notices so that the new buyers know when they're buying a home that this is an area that's prone to fires?

**MS. ZUCHEGNA:** That should be, during escrow, and I believe there already are papers...

**SENATOR CORREA:** Some notices.

**MS. ZUCHEGNA:** ...that have to do—it's sort of a surrounding of the area. I just bought another mobilehome and it's, like, an impact report or something that shows all the dangerous conditions that can exist in your area, whether it be flood or fire. So I think those are already, those papers are already, you know, there.

In terms of homes being further apart, that would be lovely. But again, that's something that would be difficult. It's going to take months, maybe years, of legislation. However, just making it mandatory that in a fire area a park be surrounded by cinderblock walls of a certain height and that all brush clearance towards those homes that are adjacent to the fire area that there be no trees allowed to grow in that area. That alone, as demonstrated in our park, could have possibly prevented the loss of all the homes that we're talking about today.

**SENATOR CORREA:** And I'm going to point out to you another issue which is, you know, we do have budgetary challenges—not only local, state, federal—and we do...

**MS. ZUCHEGNA:** A cinderblock wall would be a very inexpensive thing. When a park makes an improvement...

**SENATOR CORREA:** Let me just say...

**MS. ZUCHEGNA:** Yes.

**SENATOR CORREA:** ...one of the issues that we've got coming up is that it appears that the HCD will be cutting back in the number of inspectors; yet, at the same time they'll be increasing fees because of the situation here. So just keep these thoughts in mind as we move ahead. Like you said, cinder block walls, I think that would be an interesting one. Also, again, inspectors, instead of cutting, we get more and so on and so forth.

**MS. ZUCHEGNA:** It would be wonderful but it would be difficult to find the funding at this time.

**SENATOR CORREA:** That's the challenge that we have.

**MS. ZUCHEGNA:** It's always looking for the least expensive way.

**SENATOR CORREA:** So we need to come up with creative ways to essentially address some of these issues because, you know, clearly we do not want to, you know, endanger public safety. We don't want to go in that direction. Yet, we do have these budgetary issues.

Again, I'm going to move onto the next panelist. Before we do that, Alex...

**MS. ZUCHEGNA:** Thank you.

**SENATOR CORREA:** ...we're going to allocate about an hour to this panel but we've got to move because otherwise there's no way we'll be able to get out of here on time. So ahead, ma'am.

**SENATOR PADILLA:** Well, actually before we do...

**SENATOR CORREA:** Go ahead.

**SENATOR PADILLA:** A quick comment. I know in the later panel, we're going to have some government officials come forward from, I believe, the city and/or the county, emergency preparedness folks, fire department folks. So the suggestion that you've made, we'll be asking them to comment on those.

**SENATOR CORREA:** That's correct. We will be doing that.

**MS. ZUCHEGNA:** Thank you very much.

**SENATOR CORREA:** Thank you for being here.

Go ahead, ma'am.

**MS. ELEANOR BROOKS:** My name is Eleanor Brooks. I'm known as Ellie.

I'm a ten-year resident of Santiago Estates in Sylmar—I think I win the prize for being the closest today—manufactured home park of 294 homes, and only one of four of parks not damaged by the last two fires, but I am a veteran of two evacuations.

I've been president of our HOA, currently a member of GSMOL, CoMo-CAL, and a board member of Neighborhood Friends and a member of the city of Los Angeles Mobilehome Taskforce. I bring this to your attention not to brag but to indicate to you that I am informed and have been in touch with many different levels of government—state, county, municipal—both elected and appointed.

The state, county, city, feds are playing ping pong, and I and my fellow mobilehome residents are the ping-pong balls. We are bruised, busted, and

befuddled. While each level either says *we* are the final authority or *we* don't do that, go to the state; go to the county; go to the city; go to the fire department; go to the Office of Emergency Services. Folks, one primary thing I beseech you to pay attention to is, get together. Just get together so that our resident knows who's really responsible for what because I will tell you that I have made a lot of friends over the phone with probably several hundred people now, and I have talked to each of them saying, well, do you do this? No. Do you know who? Well, you might call so and so. Well, you know, he told me to call you. That's got to stop. It's just got to stop. And this can't be the end all, be all; nor is this.

There's information out there that several of us have worked very hard to glean. It's got to be easier to find it, and the Ombudsman ain't the way to go. (Applause)

I want to—don't take my time. I want to talk about outreach for just a moment. There was a huge meeting of—huge because it was SRO—that that State Insurance Commissioner Poizner, I believe, ran lead on, primarily for the residents at Oakridge. I know that everybody signed up and put their contact information on it. So did I. However, when I attempted to get, and some of us as well, attempted to get that list of attendees to John Tennyson to make sure that the outreach was done to get them here, I can tell you that the State Insurance Department refused to talk to the state Senate Select Committee. Now maybe that's the way the game is played in Sacramento, but the word for it is stupid, stupid.

Now privacy issues, I understand that. They didn't have anybody sign that saying, yes, you can use it in conjunction with. But couldn't they have picked up the phone or been part of the outreach? Why is it as an example we come to find out that the flyer for this meeting, for Blue Star, was left but not distributed to the residents of Blue Star? And the only reason anybody in my community knows about it is because I licked the envelopes; I printed the flyer; I stuffed them and folded them; I put the label on them. The outreach was mine. The outreach, gentlemen, should have been yours.

Let me talk for a moment about unintended consequences. When you write laws, such as SB 23, no one is walking a mile in my moccasin, and perhaps you have lived in a mobilehome for a week or so but most likely not. So let me cite a perfect example very quickly.

In the MRL, it now says, since it passed several years ago, that if there is a third-party billing company that handles the billing of rent or lease payments and/or sub-metered services, that that bill needs to include on it the name, address, and phone number of the third-party billing company. And I'll bet, whoever wrote that, thinks they finished the job, solved the problem, did a good thing to a point. What you didn't say is, they have to talk to me and they don't. It took me three-and-a-half years to get that information to find out how my sewer bill was being done. Don't ask what I had to go through.

So when you write a law, any law, to solve a problem, if it doesn't have in it either the regulations then to be written and distributed, not only to the park owners and managers but to the residents as well so we know what our rights are—unintended consequences, don't write it if you can't put in there what am I supposed to do about it? Where do I go? Do I have to go to an attorney for every

single thing, or can't we write this stuff in such a way as what we bring to you as a problem and you solve by writing; then has enforcement, outreach, information, rules and regulations? Take it a little bit further because, quite frankly, most of us can't afford an attorney.

I want to talk about another unintended consequence of not working together, and that has to do with rent control within the city of Los Angeles where my particular park is not involved in it because the city says, well, I have to go to the state to get the permit to operate. And the state says, I'm sorry; we destroyed it. The state destroys the records. So 294 homes in the city of Los Angeles, unintended consequences.

I was told you didn't have the budget to store this stuff from 20 years ago. Well, you know, you've got little drives for now, but then we had microfiche. If all of the funds, as I've been told, come from the registration when people, park owners, renew, maybe we need to talk about when was he last time those fees were raised. So that's the permit to operate, again, unintended consequences.

Permit to operate—and I bring it up because it has to do with fire hydrants.

**SENATOR CORREA:** Ma'am, let me interrupt and say that a lot of the issues, in terms of the legislation, unintended consequences, the bills that are written, for better or worse, go through a committee process; they're vetted out; and we have people, you know, and public hearings, to try to address what you say about unintended consequences. I think your organization probably gets notices when these bills are up for hearings. So if you see any of those bills and you think there's something here we need to tweak, let us know because we try to take in as much input as we can and—you know, you're absolutely right. There are challenges in the process, that in terms of how far you foresee it, but again if you can do that for us, we'd appreciate it.

And I'm going to ask you to wrap it up because we're going to run out of time. We're not going to have everybody be able to discuss...

**MS. BROOKS:** I will speak quickly, as much as I possibly can. Let me try and...

**SENATOR CORREA:** I will ask you, instead of speaking quickly, focus on the issue of fire preparedness.

**MS. BROOKS:** I will, I will. Let me talk about fire hydrants. I have finally come to understand, that with the permit to operate annually filed comes the thing that says the park owner has to decide about fire hydrants. My park, owned by Sam Zell, who, heaven knows, has a few bucks in his pocket. Our stuff was due the end of December. It is now February. It has not been handled. As I understand it from the state fellow that I was talking to, there's no penalty until 60 days late. Excuse me? Sixty days late?

On top of that, if I go into an elevator, you go into an elevator, isn't the permit there? Why isn't the permit that says my fire hydrant was inspected, posted, so that when it's in the office so that I know when it's late and I can start applying pressure and I can start calling you guys in and say, hey, my park owner isn't doing what they're supposed to, to protect our homes, okay? Now try finding out who gets to inspect every fifth year. That's another story.

Let's talk about emergency plans for just a moment. In SB 23, I know that there's stuff in there. I want to know, because it says a resident manager has to know about the plan. I'm glad that there are a lot of plans out there. We don't

have one in our park, 294 homes. How many homes are you planning on, meaning, how many people designated with that plan? Is it 50 homes needs one person or 600 homes needs three people; or it is going to be the one person for everywhere? And what happens when that person is getting a haircut, getting their car fixed, or whatever? Who else is going to be the stand-in? And are we going to have, within your SB 23, is it going to be mandated drills to test the plan? And will residents know about the plan, not just the owners and the managers? If you're going to make rules that I'm going to live under, I need to know what they are; I need to know when you're making them; I need to know how I can put input in, all right?

Let me comment about the inspections. That also has to do with emergency. I understand from reading the last meeting, the transcript, that it was stated that up to 5 percent of the mobilehomes are inspected every year. However—or the parks, rather. I will tell you that—in a 20-year period -- and now you're talking about cutting—you asked the question, Senator Padilla, about what percentage had violations and you got a 99/100% from, I believe, Chris Anderson, if I'm recalling it right.

My response to that is, they don't go to the parks where they don't know there are violations. And in other parks where there might be violations, one, the residents don't know what's being violated; two, they don't know who to take it to; and, three, they're scared to death they're going to get kicked out of their homes or their rents are going to get raised or some sort of retribution will be visited upon them. And I think that is a fact and it's got to be accepted.

Just to finish up, the information has to be in the hands of the residents, not just this and not just what the park owners want to provide us. I'm not a second-class citizen. I don't want to be made to feel like I am. I don't want to be battered from pillar to post back to pillar to get information.

I'm a researcher. I'm an advocate. I'm an annoying creature, or can be. What about the people who aren't? What are we going to do for them? And when are you going to work with us to get stuff done for them so that we are safe, so that we do have an affordable home to live in, so that our homes aren't taken over by either pestilence, famine, or hungry park owners? Thank you.

**SENATOR CORREA:** Thank you very much. (Applause)

**SENATOR PADILLA:** Before the next speaker, if I can just reply to one of the comments or suggestions made. You know, we do have copies of the current legislation or proposed legislation available. But there is a clause in here that says each park operator shall post a plan in a conspicuous area accessible to all residents and distribute a copy of the plan to each resident upon approval of tenancy and annually thereafter, so we're hearing you.

**MR. GLENN BELL:** Good afternoon, gentlemen, Senator Padilla, John. Okay. I've never been known to be too quiet.

Senator Padilla, Senator Correa and Chair, John, and City Councilmember Alarcón, thank you very much for bringing this hearing here. We've been talking for years, as you know, for traveling hearings to get out to the people. Unfortunately it took the worst tragedy ever known in the state of California, as far as it comes to homes, to get you guys here. We really do appreciate your being here.

All of you are aware of me; you know me. Some of you think of me as a pest; some of you think of me as cantankerous. I'm really a nice guy and I do...

**SENATOR CORREA:** You look good in a suit, Glenn.

**MR. BELL:** Say that again?

**SENATOR CORREA:** You look good in a suit.

**MR. BELL:** Thank you very much. I prefer my Hawaiian shirts and shorts but I can tie a tie.

I'm also a manufactured homeowner. I live in a park owned by Kort and Scott Financial. Isn't it peculiar your panel here, over half of them actually are victims of Kort and Scott Financial and still nothing has been done about that? I'm also a victim of the Marek Fire. I suffered \$70,000 worth of damage to my own home. That was the same day that the Sky Terrace went up.

To answer your questions, John, that is the same lot owned by the same people, and it was not a permitted storage place for over 10,000 tires. There is an organization in the state that is required to oversee abandoned tires and they weren't even aware of it. AQMD, EPA has not gone up to Sky Terrace or down to Blue Star to test the soil to see what kind of contaminants are there because, believe me, there are tons of contaminants. Burning rubber is one of the most dangerous things to a human person, and all of that silt gets into the earth. However, Oakridge itself—and this is not anything to deter from Oakridge's damages—the people there lost as much as anybody else has. But they have received the protection under the law that they deserve. The people at Sky Terrace have not. There has not been one state agency up there concerned with their welfare, not one. Call AQMD, they refuse to go out there. EPA refuses to go out there because the county oversees this, and notice that the county is absent here today. And both Blue Star and Sky Terrace are in the county of Los Angeles.

And, by the way, did you know that the law in Los Angeles County and the city of Los Angeles is that in the county of Los Angeles, that there must be at least two points of egress for every manufactured housing community, at least two. When the fire happened, Senator Padilla's office called me because I'm known to be a loudmouth in this industry and that I was also a victim in the fire. He asked for suggestions as to what they could put in, in SB 23, and we sent up four basic suggestions. Two of them got into the bill—and thank you very much for that.

However, the issue of egress is much more dramatic than almost any of the other things even concerned. Outside of the fire hydrant issue, the points of egress. Blue Star—we were trapped in that park for an hour and 15 minutes. While the park manager, who, by the way, is here today, sat with the keys to his secondary exit gate in his pocket—did not open up that gate. I had to get people to break that gate to get out of there, and there was fire all over us. There was raining balls of fire hitting every vehicle who was stuck inside that park during that evacuation for an hour and fifteen minutes. We were trapped in a fire, in a firestorm, with winds up to 85 to 90 miles an hour inside that storm, and there's been no response whatsoever for that.

The people at Sky Terrace and Blue Star have not been given one ounce, one ounce, of state assistance or FEMA assistance, not one. We have been treated as though we have no value whatsoever. We live here. And under the 14<sup>th</sup> Amendment of the Constitution of the United States, we're entitled to the same protections. It is unconstitutional for some of the things that have actually been

going on here. The fact that there was—and by the way, Mr. Alarcón when you stated that there was a landfill next to them, there was a city landfill they lived on top of. The people at Sky Terrace were never noticed that they live on an abandoned city, an abandoned city industrial landfill underneath their own park, and they have never, ever been noticed by the county; they have never been given the protection. They're on a massive methane zone, as well as Blue Star, and nobody's ever noticed them either.

This is a whole segment of the population that has been relegated to the side, diminished, and told that they are of no value. This set of laws that are written right here are illegal; they're immoral. They're the same as the Jim Crow laws. You are separate but equal, quote, unquote. And we have found many, many situations and brought this forward to you. Under the constitution, when we bring these things to you, you're supposed to make it right, as we've done with the PUC laws, where basically people in manufactured housing can actually lose their homes because they don't pay their light bill.

So to get back to this—you said, Senator Correa, you said a number of times, about the budget constraints for HCD—there are roughly 50 inspectors in the state of California. There are roughly 5,000 parks in the state of California. That's 100 parks per inspector in the state. That's with a two-week vacation, two parks per week. All they have to see is two parks per week and they would see every park in the state. However, there are inspectors out there—and I work with them on a daily basis—who do not even know how many parks are in their district. The state would send them out to a park that has been closed for 20 years, and then they'll come across a park where the state has never once collected a permit to operate.

Now the state can fine me to pay my taxes on a daily basis, every year, but they can't fine a park? Now when it comes to fire hydrants, under the law, under the law, the park operators are supposed to do a flow and pressure test annually. And every five years, local fire, according to HCD, is supposed to do an additional test and have it certified. And the state—the law also says that HCD can hold up the permit to operate for that park if these are not a part of the package. Calling HCD and local county fire, nobody's ever done that. As a matter of fact, over 85 percent of the parks in the state of California don't even have fire hydrants. In my park, there's one. It's a quarter mile away. And from the fireman I've spoken to, they say that fire hydrant isn't even worth hooking up to.

**SENATOR CORREA:** Let me ask you a question very quickly.

**MR. BELL:** Yes, sir.

**SENATOR CORREA:** Should then the State Park Inspection Program and fees be turned over to local government as opposed to the state?

**MR. BELL:** No, I don't think so. I think it should be cooperative. I think there are parks, when it comes to health and safety, that the city should back up and the state should have the full—I have actually seen...

**SENATOR CORREA:** Wouldn't you have a confusing situation? I mean, you just talked, a minute ago, you know, about the challenge of having separate government agencies trying to coordinate efforts. Don't you think there's merit in just turning everything over to one agency that's closer to the site that they're inspecting, closer to the challenge, as opposed to having somebody from Sacramento having to physically come out to do this work?

**MR. BELL:** With all due respect, Senator Correa, they don't come from Sacramento.

**SENATOR CORREA:** It's mutual.

**MR. BELL:** You know.

**MS. ZUCHEGNA:** If it could be, if it could be an agency that would be responsible, but as you've seen, if you turn it over to just a local, like the local county, in our case, the county has been very unresponsive. If they turn those funds over to the city, the city would have acted, and did act, to help the residents of their community but not counties. So if you have it doled out, you're going to see a patchwork, I would imagine, of services.

**SENATOR CORREA:** I think...

**MR. BELL:** Let me get back in there.

**SENATOR CORREA:** Let me just finish—let me finish. I'm asking you this question because this is a real—it's not an academic question. This is a real one.

**MR. BELL:** Absolutely.

**SENATOR CORREA:** I mean, you have a challenge right now that the state is going to cut back on inspections. Okay. So the challenge is...

**MR. BELL:** How could they cut back more than they already...

**SENATOR CORREA:** The challenge is, do we focus in one area and one agency or one level of government to do this and hold them accountable?

**MS. ZUCHEGNA:** Some of the onus could be placed on those managers and maintenance people in the park. They know better than anybody else, better than the tenants, what's going on in that individual park and what the hazards are. So possibly it could be mandated that they have to do inspections themselves and be held accountable if they don't. Clearly, they can't necessarily maybe test for methane levels, but they can test to see if the hydrants are working; they could test to see, just as they would come after us to say, please clear your brush, they, themselves, have to be responsible for clearing the brush.

**SENATOR CORREA:** Thank you.

**COUNCILMEMBER ALARCÓN:** May I shed some light on this subject?

**SENATOR CORREA:** Go ahead.

**COUNCILMEMBER ALARCÓN:** And first let me qualify that I was the chair of the Senate Housing Committee for a couple of years and delved into this issue quite a bit. There's two problems. The first one is a funding issue. The local jurisdictions do not feel comfortable with the—

**SENATOR PADILLA:** Enforcement and responsibility.

**COUNCILMEMBER ALARCÓN:** Well, not the enforcement but the funding, that the state reimburses for...

**MR. TENNYSON:** The state has a limit on funding...

**COUNCILMEMBER ALARCÓN:** The state has a limit on funding. And if they put additional resources, who's going to cover the cost of that? So they would be strapped with an additional burden because the state does not have the funding. And without identifying that funding, the local jurisdictions are not comfortable with that.

The second issue is that the codes for the various jurisdictions are quite often more stringent than the codes at the state. And if you set up an agreement, the question is which codes are you going to abide by? And local jurisdictions

would feel uncomfortable with having their people inspect mobilehome parks to a lesser standard than the homes that they're inspecting outside.

So I believe that the solution to that has something to do with a formal joint powers agreement. So, for example, the city of Los Angeles has a joint powers agreement with the state to do the inspections. And it's not as if that discussion has not occurred in the past. It's a very difficult process. And also I guess a third issue would be the incredible lobbyist strength of the mobilehome park industry and their ability to avoid local scrutiny because historically local governments didn't really want to be saturated with mobilehome parks. And if it wasn't for the fact that the state was controlling this issue, a lot of these mobilehome parks would have been gone many years ago quite frankly. So the answer is somewhere in between, but the discussion is something that needs to be had.

In the case of Sayre, in the case of Oakridge, we are in essence establishing something of a joint powers agreement with the state of California Housing Department to give us the authority to go do the debris removal. But if we had had an agreement on record prior to the incident, we probably would have been doing debris removal right now and saved approximately, I would say, a month to six weeks. But because we do not have that formal arrangement, it took a month just for people to figure out who was going to do it and the city had to step forward because we didn't see any action. The state had no funding to do it; the feds were willing to reimburse but they wanted to know who was going to be the lead agency; we had no authority over the mobilehome parks, but we said, you know, enough is enough. We're not going to get 500 families to agree on a debris-removal contractor. Unless we just assume it, it wasn't going to get done and we would have tremendous environmental hazards if we didn't move forward. So the mayor agreed that we should move forward, clean up the site.

So as you can see, I've worked my way into my comments because I do have an appointment I have to get to. But the bottom line is that, first of all, I would like to say that I do support SB 23 and I do concur with your potential amendment. That's something, if you should write and work with the senator, I think it might be very friendly. You almost want to think—you would think they have these things already, an evacuation plan. That's an assumption—that was a bad assumption. So I would encourage that bill. I would be happy to—I believe we already did a resolution in city council, and we certainly are on record of supporting this.

Secondly, let me say that I would recommend that we explore the feasibility of establishing joint powers agreements with the state of California Housing Department with regard to mobilehome parks in the event of disasters.

Thirdly, I would like to say that the key issue with the distinction between the Marek fire and the Sayre fire was that the governor did not declare an emergency for the Marek fire and Sky Terrace and, I'm sorry, Blue...

**MR. BELL:** It's Blue Star.

**COUNCILMEMBER ALARCÓN:** Blue Star—I'm sorry—were victimized in the sense that they were not—they're simply not handled. They don't have the access to resources that the housing and—state housing and FEMA have to offer and...

**MR. BELL:** Fifty-five thousand dollars.

**COUNCILMEMBER ALARCÓN:** And it's very difficult for them to recover on their own. Many of them did not have insurance. In fact, many of them were renting their...

**MR. BELL:** More so at Sky Terrace than at Oakridge or Blue Star.

**MS. ZUCHEGNA:** Mr. Alarcón.

**COUNCILMEMBER ALARCÓN:** The only other thing I want to mention about Sky...

**MR. BELL:** Sky Terrace.

**COUNCILMEMBER ALARCÓN:** I'm sorry—Blue Star...

**MS. ZUCHEGNA:** Blue Star Terrace.

**COUNCILMEMBER ALARCÓN:** The only thing I want to mention about Blue Star, I've mentioned that Sky Terrace is not in the city; it is in the county. Blue Star is actually divided.

**MS. ZUCHEGNA:** Yes. Part county, part city.

**COUNCILMEMBER ALARCÓN:** Half of it is city and half of it is county. In fact, the line goes right through some of the houses. And so if you're in the kitchen, you might in the county. If you're in the living room, you might be in the City -- it's very interesting.

**MR. BELL:** Yes. All the park was supposed to be annexed into the city but that didn't happen.

**COUNCILMEMBER ALARCÓN:** But what I can tell you is, the egress is not in the city boundaries. The emergency egress that you spoke of is in the county side. And the fire most affected the folks on the county side of the property. So as I said, I am not satisfied or pleased with the response for those people in the county side. I think that they've been double victimized by the Marek fire. And also I've never really understood why—there was an explanation presented to me about why the governor did not declare an emergency on the Marek fire, but he did declare it in the Sayre fire. Clearly the Sayre fire met the standard, but I would have thought that the Marek fire also met that standard. That declaration not being had...

**MR. BELL:** The county supervisor did not fight for it. That's why.

**MS. ZUCHEGNA:** This is a very incredible point.

**COUNCILMEMBER ALARCÓN:** No. I mean, in terms of the rationale.

**SENATOR CORREA:** Let me just very quickly, I'm going to hold on to the question, but, ma'am, you had your hand up. Go ahead.

**MS. WAYLAN:** I've heard a lot from the city, the state, and the county and the residents. What about the landowners? What is their responsibility in our emergency procedures?

**SENATOR CORREA:** We have them up on the next panel.

**MS. ZUCHEGNA:** Just real quick, because this is going to happen for you gentlemen in the future, regardless of what happens to us. We understand it's the governor's responsibility to have declared our area a disaster and request federal funds and it wasn't done in our case. However, in the future, especially with climate change, there should be some sort of method whereby you gentlemen can appeal. If a disaster is considered too small in the moment to be eligible for federal funds but then a subsequent disaster occurs that's of a magnitude but the same causes were instrumental in creating both disasters, there should be a way for you gentlemen to retroactively link these so that federal funds can be made available to

those of the earlier disaster. Obviously there can be a timeline. It could be two weeks, six weeks. But in our case it was low humidity, high winds, extreme fire hazards. Just those same conditions that created the Sayre fire created the Marek fire.

**SENATOR CORREA:** I can't address...

**MR. BELL:** Hold on.

**SENATOR CORREA:** ...the governor because I wasn't there.

**MS. ZUCHEGNA:** I know. But you gentlemen in the future, there should be a method.

**SENATOR CORREA:** I'm sure we can ask them as to why or why not.

**MS. ZUCHEGNA:** It's not even—it's just a method for you good gentlemen to appeal.

**SENATOR CORREA:** Let's talk to CalEMA about that when they're up.

**MR. BELL:** Excuse me. Can I finish my time?

**SENATOR CORREA:** Well...

**MR. BELL:** This all started. Everybody's...

**SENATOR CORREA:** I'm going to give you a minute because we're already an hour and a half in this panel.

**MR. BELL:** I understand.

**SENATOR CORREA:** The questions you're asking are probably good for the government panel and the real estate owners who are here as well. So I just want to make sure we get everything done, but go ahead, sir.

**MR. BELL:** I'm sorry. We have been triply victimized in this circumstance. Frankly, if you go back into Blue Star where we have a known aggressive park operator who has done this—matter of fact, one of the reasons that my house started on fire, there was three and a half feet piled high in the park property of pine needles that had not been addressed for a long time. State HCD was aware of this. We go back to the hydrant situation. HCD has oversight on this. The fact is, we had a hearing on HCD two years ago. And from that period of time, still nothing's been done about that. As a matter of fact, Blue Star, which we brought gift wrapped to you, has still not been done. And let's go back to the fire situation. The fire for the Marek fire was actually set by a minor electric manufacturer, up in the hills above Lopez Canyon, in the Marek Canyon. Because of his lack of maintenance, one of his wires busted and started the fire. Why hasn't he been prosecuted for the hundreds—millions of dollars of damages he's caused? Why hasn't the state...

**SENATOR CORREA:** That's a good question to ask the government panel when they come up.

**MR. BELL:** Well, I'm asking this directly to you guys, you senators.

I represent a lot of manufactured homeowners. They asked me to come and ask you truthful questions. It would be much easier for me to be a nice guy and just, you know, go along and get along, but I can't.

**SENATOR CORREA:** All I'm trying to do, I'm referring you—you're asking me the question. I'm referring you to the people who are in the best position to answer your question.... If we can get the panel up.

**MR. BELL:** So anyway, to give you an idea to the final statement on this, this particular park operator this year, in the financial situation that we're all in, did a space increase this year of 8.5 percent to 10.5 percent. Right now with the

economic inflation index, it's actually in a deflation at 1.5 percent. That means that this particular park operator in a time of depression has actually done 1,050 percent increase this year on top of the damages done to the fires and nothing's been done to stop them. This has been something that all of you are aware of, this particular operator, for a long time and they continue day in, day out, to make victims of everybody who lives out here. Why are we totally disregarded? Thank you very much for your time.

**SENATOR CORREA:** Thank you.

**UNIDENTIFIED SPEAKER:** Good afternoon.

**SENATOR CORREA:** Hold on a second. Councilman Alarcón wishes to leave and wanted to make a statement.

**COUNCILMEMBER ALARCÓN:** I apologize. I do have to get to another meeting.

With regard to the announcement, I do want to say that at our meeting at Olive Vista Middle School where we were explaining that the sifting, the opportunity for the Oakridge folks to access their properties to see if they can find any of their valuables, we did announce this meeting. There were over 300 families represented there. So we just did it as a matter of course. We also let everybody know that we have on file through e-mails and any communications that we made with them, and I should mention that we are in contact with literally dozens and dozens of families every single week with regard to these events, and that includes both Sky Terrace and Oakridge.

I do want to say just a little bit about the debris-removal process for those who don't know what is going on—there will be others here to speak in much more detail. The bottom line is that, as we speak, we had intended to have a process to allow the Oakridge owners to go back to their properties to see if they can sift through their materials. We started that process yesterday. Obviously the rain has chilled that process. We are in the bidding process for the debris-removal contractor. We anticipate that that bid will be finished as soon as next week, and we've given the president of the Public Works Commission authority to sign without having to go through a laborious, bureaucratic process and go through the commission. So we're anticipating that within the next two or three weeks that we will have a contractor in place to do the removal of Oakridge.

The debris-removal process itself, we estimate, will take somewhere between 45 and 60 days. That sort of depends on what they find there. Assuming that everything is as anticipated, it should take 45 to 60 days. In the meantime, the state is moving forward with the development process, and the homeowners are actually looking at the prospects for the homes that they may want to purchase in the future with the parkowner.

I do want to say this. Although you can't get in the press every single day for all the things you're doing, I have to tell you, having come out of the city's emergency operations program when I was a personnel analyst for the city, that the state, and FEMA in particular, and the city of Los Angeles have been working cooperatively. It took a little bit of time for the city to step forward to be the lead agency but that's because it's never been done before and so I'm very pleased with that process. But I have to tell you, that in terms of the monies that will cover the cost of debris, the end result is that we should save the homeowners at Oakridge at least \$4,000 per family by doing this, this way. And that is money that they will

need because they are purchasing new homes and their insurance—the vast majority of them are not fully insured and so there will be a shortage. I would rather they spent it on the new house than spend it on debris removal.

For those who would like to seek housing or perhaps be interested in purchasing housing away from these sites with all the trouble that people have had on these sites, many people have just said they want to leave. Actually it's not that many people; I would say maybe 10 percent. We have developed a home ownership opportunity program in conjunction with the CRA. So first-time homebuyers, we will give special exemptions to fire victims on the first-time homebuyer criteria. And if there is a home that they would like to purchase outside of the park, we would be happy to expedite them to the process with CRA.

So if you have any questions about that, please contact my office. Oh, Dan, where's Dan? Dan Rosales is the director of my Sylmar district office.

Finally, I want to say thank you to Senator Correa. You're right. It took a major disaster like this but it also took a chairman like this to come to Sylmar. Lou Correa's district is in Orange County. And for him to come up, particularly on this day—we're surprised you got here—but we are very pleased that you got here—and to take an interest in this. Certainly we know that Senator Padilla had something to do with encouraging you to come out here and we want to thank him for that as well. But there's a lot of work yet to be done with regard to the management of mobilehome parks and the government relationship that we have with those management operators, and I'm pleased that you have taken note of this and know, that if there's any legislation that you pursue in this that, to the extent that we can be helpful, we want to work with you.

**SENATOR CORREA:** Thank you, Councilmember. And I just wanted to also let you know, this hearing again is being recorded.

**COUNCILMEMBER ALARCÓN:** Uh-oh.

**SENATOR CORREA:** And there will be a transcript available for you, and please feel free to use our office as a resource. Thank you very much for coming.

And I also wanted to take a moment to let you know that Susan Petrulas Nissman, deputy, with the County Supervisor Zev Yaroslavsky, is here today. If you can raise your hand, she's in the back. If you have any questions for her, she's available, I presume.

**SENATOR CORREA:** Let's move on, if we can, with the panel.  
Go ahead, ma'am.

**MS. SAMII TAYLOR:** Good afternoon.

**SENATOR CORREA:** Ms. Taylor.

**MS. TAYLOR:** My name is Samii Taylor.

**SENATOR CORREA:** Yes.

**MS. TAYLOR:** I'm with the Windsor Group. I'm an advocate for Manufactured Homeowners in the legislative arena.

I'd like to quote from a book entitled *The Unknown World of Mobilehomes*: "Many Americans simply pretend that mobilehomes do not exist. They perceive mobilehomes as cheap, flimsy, and undesirable housing for unattractive people. They assume that the residents of mobilehomes are seriously deficient, deficient in income, deficient in education, deficient in intelligence, and deficient in moral fiber."

The laws of the state of California currently tend to support a great deal of that, and that is the result of the lobbies for the park owners having been so strong in the past. That is the past. That's old business. Everything that you've heard here today was nothing that you do not already know. Every bit of it is old business being revisited year after year after year.

No one wants to own us; no one wants to be responsible. The law is redundant; the law is vague; the law is nonexistent in a way that you think it already is existing for us but it does not. We have hydrant issues, hydrant-inspection issues. We have locked-gate issues, egress issues, building materials issues. All of that is not the responsibility of the Legislature; it is not the responsibility of the homeowner. It is the result of the park operators and owners skewing the law to the point that they are protected, and those whom they invite to live on their land are put at risk. The people who have been on this panel today were placed at extreme, unbelievable risk.

By the grace of God, there were not deaths involved in this situation. This must be the demarcation. This must be the line in the sand where the Legislature, the State of California, stops, looks, and says, we cannot continue as we have in the past. We must now revisit the law; we must examine all of the areas. Where can we trim the areas; where must we be concise in the legislative language in order to protect the people who actually are at risk in these mobilehome parks?

You talk about the density. The density is not the issue. You talk about the building materials. Obviously I have not reviewed every piece of code in the State of California. I would be 197 by the time I completed that. But I have looked at some of the building codes that are currently on deck for changing the way that manufactured homes are not only constructed in the future but also retrofitted.

One of the things that I found sadly lacking was the fact that there was nothing in place to protect homes now, today, tomorrow. I didn't see that anywhere in any of the draft legislation. I didn't see it any reports from HCD. I went on Google and I did a search for coatings, flame-retardant coatings, 275,000 hits at one time. I have included just one of those packages here for your review as a matter of record that I will submit to you.

What struck me as absolutely ironic is that these are space-aged, NASA-used coatings that are available for manufactured homeowners, such as myself, to go out and purchase today, put into my paint interior/exterior, and vapor barriers. I can spray the wires in my home if I want to, to reduce the flame components of those. I'm appalled. I wasn't asleep while this was going on. I would expect that these things would be advertised and available for us and especially when you're coming into a situation in the state of California where we have wildfires, year after year after year. Manufactured homes are the largest, easy target. It's, you know, analogous to having a mobilehome in the state of Florida, kiss it goodbye. We can't have that any more.

I ask you to all consider, "What are all of the options, not just, what are we going to do when we build a new mobilehome?" What can we do now that is cost-effective and instantly available to everyone? A \$100 additive to paint your house that will keep it from disintegrating in a wildfire or at least extremely reduce that ability so that you have a longer time for fire response to take care of our home, it's pennies on the dollar.

And I understand that there is a shortage of money in the State of California. I didn't waste it. I don't know where it is. But I assure you that there's not one dollar that you could ever scrape together to replace the lives and homes of the people who live in the State of California. I urge you to please look at all the options, examine the law, remove the redundancy, and immediately find ways to help an affordable housing resource, remain an affordable housing resource, and remain in the state of California for those who cannot or do not wish to go out and spend half a million dollars for a stick-built home.

And one last thing, all of the building codes that are in place today obviously failed in Yorba Linda so there must be additional options for the stick-built homes as well, and I ask you to look into flame retardant coatings. Thank you very much for your assistance. (Applause)

**SENATOR CORREA:** Thank you. Any further...

**MR. BELL:** Yeah. One more quick thing. I'm sorry I forgot this.

**SENATOR CORREA:** Mr. Gibson. Hold on. There's another—go ahead.

**MR. TOM MARUYAMA:** Mr. Chair, Senators. Tom Maruyama, director with the California Emergency Management Agency, formerly the Governor's Office of Emergency Services.

I'd like to, for the record, correct something. The governor did in fact proclaim states of emergency for all the fires talked about today as well as 11 during the calendar year of 2008. So they were proclaimed state emergencies at the request of the city and the county of Los Angeles.

**SENATOR PADILLA:** Let me ask a follow up a question.

You know, we choose to believe what you've said, but I think a detailed follow-up for me and my constituents is, while the governor might have declared a state of emergency for both Marek and Sayre, did he request FEMA support for both Marek and Sayre?

**MR. MARUYAMA:** Senator, if you'd like me to answer that now, I will.

**SENATOR CORREA:** Go ahead and answer it, if you can, sir.

**MR. MARUYAMA:** Yes. The difficulty with the Marek fire is the threshold dollar amount did not meet that of being able to request from FEMA a declaration of an emergency.

**SENATOR PADILLA:** So did the governor request FEMA support for the Marek fire?

**MR. MARUYAMA:** No, sir, he did not.

**SENATOR PADILLA:** Okay. Because it seems to me, you know, you put FEMA in the position to deny its help when we think we need it. If we were to apply and they say no, then we can fight it. But for us to choose not to even try is a whole another question. And so later in the hearing when you're back up here with other government agencies, we'll get into the details. So I appreciate the correction about the governor's declaration. That's an important one step. But the other step about FEMA support, you know, remains unresolved.

**MR. MARUYAMA:** Thank you, Senator.

**SENATOR CORREA:** Yes. The one last comment.

**MR. BELL:** The next time you see the governor, thank him for us.

**SENATOR CORREA:** Very good. Thank you very much.

**MS. ZUCHEGNA:** Thank you for giving us a voice.

**SENATOR CORREA:** Thank you.

What we're going to do now is bring up our second panelists, Mobilehome Park Industry.

Mr. Gibson, is he—is Mr. Gibson here? He is.

Okay. Mr. Gibson, come on up.

Well, hold on a second. Mr. Gibson is a homeowner, not the mobilehome park industry, so let Mr. Gibson, you're going to testify so go ahead. And then right after you, we'll get to the park industry.

**MR. GARY GIBSON:** Honorable Senator Correa and other distinguished committee members, my name is Gary Gibson. I reside in mobilehome park named Mountain View Estates located in the hills above Chatsworth Way. It is in a wildfire area in the county of Los Angeles. My address is 24303 Welsey Canyon Road, Number 43, Canoga Park, 91304. I've lived there for ten years.

Since 2004, there have been at least three mandatory fire evacuations. This is the second time I've testified at your hearings. My testimony here today will cover five topics of concern. This shouldn't take more than three or four minutes.

Item 1. Lack of enforcement of private fire hydrants not connected to waterlines servicing mobilehomes. All of you may recall there were many times in the news broadcast during the Oakridge fire when fire officials complained there was no water pressure. They stated this was due to the number of homes burning whose water pipes had burst or melted. In 1994 the owners of Mountain View signed an unsecured improvement agreement with the county of LA. This agreement stated in consideration for the recording of a parcel map related to a condo conversion. Our park owners were to correct many outstanding items within one year of the 1994 recording of that parcel map. The penalty for not correcting those issues was to rescind the parcel map recording, thereby eliminating any condo conversion.

One of the units required to be done by that agreement was an order by the LA County Fire Department to install a private fire hydrant on the property that was not connected to water lines servicing mobilehomes. This was to prevent a loss of water pressure if and when the fire department fights a fire in Mountain View.

Fifteen years after the 1994 unsecured improvement agreement was signed, we still do not have any other corrections in place, including the fire hydrant that was ordered by the county. I have personally fought with county for three years on their failure to enforce the terms of that agreement. On November 3, 2008, the Department of Public Works for LA County issued a default notice to the owners of Mountain View. As of today, the park owners still have not complied with the terms of the agreement.

When I brought this issue up to HCD in November 2006, HCD told me it was county's problem. Apparently they're right. At the very least, the county of LA has acted in an inexcusable and deliberately dilatory manner, all to the detriment of the residents and homeowners of Mountain View.

What also must be asked is, "If the fire department can see the need for dedicated fire hydrants when the owners of a park wish to condo convert, then why is this need not deemed necessary prior to a condo conversion taking place?" Had there been dedicated fire hydrants for fire use only not tied into the waterline service in the homes at Oakridge, some additional homes could have been saved.

Obviously the Oakridge fire has proven a need for such fire hydrants to be mandated by law.

Item 2. Lack of enforcement of brush clearances mandated by law. Our park owners have received many warnings by the fire department about clearing 200 feet of brush from around the perimeter of our park, especially along our hillsides. The day one of our evacuations took place, this still had not been done. When the fire department arrived, they made park employees clear the area then and there. This should have been enforced long before the evacuation occurred. The fire department should be much more aggressive on enforcement of these types of violations before the legal summary deadlines hit to reduce risks to residents and homeowners.

The lack of enforcement of safe distances between homes mandated by law. It is has been discovered, that when our park was built, it was not built per code, yet it was signed off. This includes the infrastructure and placement of homes. Some of our homes have less than two feet of separation between rooftops. Many homes have less than a six-foot separation required by law. HCD has verified this but are helpless to do anything about it, as it was done on county's watch and the homes were in place for several years before HCD assumed jurisdiction. This may seem difficult for any fire to be fought inside our park. Again, county allowed this violation of the codes that in turn has created a significant danger to residents and homeowners in our park.

Item 4. Non-permitted fireplaces with improper spark arresters. We have approximately a dozen homes with fireplaces. Many were added without permits. Within the past month, we had some very windy, cold days. I think most people here will recall that. On one of those evenings, I saw that one of the fireplaces had large embers rising from its flue, landing on its home and surrounding land. I went to the new owner of the home, brought him outside to show him how the embers were flying all over. He immediately stopped using his fireplace. Since HCD refuses to make sure all the fireplaces have permits with correct spark arresters installed, I would suggest that legislation be introduced to prevent the installation or use of fireplaces in wildfire areas.

Item 5. On-site park management's abandonment of residents during emergency fire evacuations. We have many elderly and infirmed people residing in our park. In 2004 or 2005, just prior to the sheriffs coming to inform us of a mandatory evacuation, our onsite park management had already abandoned the park and its residents. When residents tried calling the office for help or information, the answering service contacted the old, non-existing property management company for help. The old property management company has provided sworn testimony on this incident. Elderly and infirmed residents had to rely on other residents for help and information instead. There needs to be legislation to introduce to ensure that this type of abandonment cannot happen. There should be severe monetary and criminal penalties upon park owners and their onsite management, should that management abandon residents during evacuation ordered by state or local officials.

The information I have shared with this committee is factual, well-documented, and witnessed by residents of Mountain View and others. There's a distinct lack of cooperation between county and state agencies, as well as a distinct lack of enforcement within each of these agencies. Many of the 750,000

mobilehome residents believe state and county's entities treat us like the unwanted stepchild who leaves us at the mercy of big business only to be treated like cash cows for their huge profits. My experience with HCD over the last nine years is extremely well-documented and proves HCD's inability to enforce code under the current budget unless management, HCD management, inappropriately invokes the old eminent danger disclaimer or forces inspectors to ignore their duty or cuts deals via illegal contracts with park owners. The Governor's further proposed cuts to HCD personnel and its budget will most certainly deliver a death blow to the already failing HCD-mandated Title 25 enforcement; therefore, it makes no sense to continue HCD's enforcement of Title 25 with further cuts.

I would ask this committee to seriously consider recommending the returning of all HCD enforcement duties to each of the counties within the state of California. Thank you for listening to me, gentlemen.

**SENATOR CORREA:** Thank you, sir.

Mr. Padilla, you had a question?

**SENATOR PADILLA:** It's not so much a question. I want to be respectful of the time. But for the resident representatives that testify, we'd be interested in your feedback or input on, you know, this question of insurance and a potential insurance requirement, or at least sort of a minimum coverage. We know mobilehome parks are unique. They're not like other single-family homes or multi-family dwellings, and other parts of the city. And we know there's just, you know, a question about when you're still paying off the home versus when the home is paid off. But separate and apart from that, there's a question of where your coverage or liability would end and where the park owner begins and vice-versa. So whether it's in a very, very brief response or statement right now or just in a side bar later with me or my staff, we'd be interested.

**MS. ZUCHEGNA:** I'll just be super quick and say that the federal government already subsidizes insurance for people in high-risk areas who—and usually they're very wealthy people, like in Malibu, who cannot get insurance because they simply—there's no insurance available. They live in a fire-prone area. If federal funds can be made available to subsidize insurance for our wealthiest citizens, why not those of us who are extremely vulnerable? As you said, many of the senior tenants own their homes outright. There should be a program. If the federal funds are available for superstars in Malibu, why not for the tenants in mobilehome parks? Thank you.

**SENATOR CORREA:** Excellent point. Thank you.

**SENATOR PADILLA:** Thank you.

**SENATOR CORREA:** Let's move ahead with our next panel of Mobilehome Park Industry. Welcome, sir.

**MR. BERT CASTER:** Thank you. Can you hear me there?

**SENATOR CORREA:** Yes.

**MR. CASTER:** Thank you. My name is Bert Caster, 2239 Black Canyon Road in Ramona, California. I'm the owner of the Oak Tree Ranch Manufactured Housing Community located in Ramona, California. I'm here today to share with you my experience, the wildfires of 2007, that struck our community and to comment on some of those areas of concern that the committee has outlined in their agenda today.

Our property has 119 sites located on 92 acres in a very rural area of Northern San Diego County. The park has been there since 1965 as a park; and probably 15, 20 years prior to that as an RV park, a long time in that area, and we've never experienced anything like the wildfires of 2007. In the afternoon of October 21, 2007, my daughter, who is also my partner, received a call from a CAL FIRE fireman who is also a resident of our park. She informed her that the Witch Creek fire was approaching the community and there was a mandatory evacuation.

My daughter called our three employees, all who lived on the property. They met at the office. The employees followed our procedure outlined in our Emergency Action and Fire Prevention Plan that we have for the community. This is a plan that we have personally established and implemented in some 20 mobilehome parks throughout California. My daughter printed up the evacuation notice, and the three employees took the notice door to door in three separate phases of the property to ensure that all residents were notified of the evacuation. At the homes where no one answered, the notice was taped to the door and our employees followed up phone calls back to make sure that no one missed our knock on the door or the notice.

The next action taken by our employee was to turn off the gas system that furnishes propane gas to all the homes. This was done to prevent any explosion or providing fuel to any fire that might strike the homes. All residents, to our knowledge, had vacated the property by early evening. My daughter, after backing up our computers, made one last drive through the property and left at approximately 8 p.m. I arrived at the property shortly after 9 p.m. that evening and again drove through the property to be assured everyone was vacated.

When the fire reached our property at about 9:45, I also vacated the property. One of our residents, a CAL FIRE fireman, returned to the property that evening as the fire approached the homes in our Phase 1. He brought along a few fire hoses and attached them to the hydrants located in the community near his home. He later reported that with winds blowing as hard as they did, the fire roared through the property like a blowtorch, burning home after home along the streets where the fire first entered the property.

This gentleman stayed and fought the fire as best as he could, running back and forth between the hydrants, spraying the flying embers that hit the sites in his Phase 2. He was also able to spray water on the homes adjacent to those that hadn't started the fire in that particular phase. His action, I believe, actually saved 50-some homes out of the 53 in that area. We're fortunate to have had four residents as CAL FIRE employees. In all, 50 homes were completely destroyed by the fire; 47 residents lost their homes, along with three empty models; but fire also destroyed the community office, our building, our employee housing, two large storage barns, many vehicles, and all our equipment, including trucks and golf carts, tractors, and so forth. The fire also destroyed the infrastructure of the utilities serving the 50 sites in the buildings. Over 100 trees, including many oak trees and other landscaping, was also destroyed. The good news is that no one was injured and no lives were lost in the disaster.

The 119 sites of property are located in three separate phases. The original Phase 1 has 49 home sites and was the section totally devastated by the fire, burning 47 of the 50 lost homes. Twenty-two of those homes were the older-style

homes with metal siding and metal roofs. Twenty-one were the new-style homes with fire-rated asphalt shingles, hardboard siding, and two of the homes were manufactured with the latest fire techniques, that is, fiber-cement siding, composition roof, fire-resistant roofing, and dual-pane windows, and they had fire sprinklers.

In Phase 2, a newer section, all of the homes have those items, greater fire-resistant system, and they all have fire sprinklers that unfortunately didn't stop the fires once it started to burn the home. In that phase, there were no wooden steps, wooden fences, nor awnings that would support fires. In this phase, only three homes were lost. The fire-resistant system for these homes clearly helped with just the embers that were blowing under those homes and that, coupled with our resident firemen who was battling the blaze, kept the loss of homes in that phase to a minimum.

Sixteen homes located in our Phase 3 of the property escaped with only minor damage to fencing and some of the homes had smoke damage. San Diego County, as the committee might be aware, does not have its own fire department. I understand that in the county there are approximately 68 different agencies that have fire departments of which many are volunteer types.

Ramona is not a city but rather a small community of some 36,000 people. It is located in the northern part of the unincorporated area of San Diego County. The Ramona water or the municipal water district operates the fire department and has a contract with CAL FIRE to provide the services to the property, the owners in their district. With the wildfires hitting areas all over Ramona that day where some 400 homes were lost, there apparently wasn't enough equipment or personnel to send anybody to our property. Many fire trucks did appear at the property after the fire went through. At some point during the fire, the water supply from the Ramona community was turned off by the water district as the electric power that supplied their pumps failed and it had no backup generator.

Fire hydrants in our community are private. No water supplied from a 420,000-gallon water tank has an electric pressure pump to provide sufficient water pressure to the hydrants. When the electricity went off in the area, the pump at our tank also could not operate. And the one resident fireman who was fighting the fire only had static pressure to do his work.

After the fire passed, I was able to get back onto the property within 48 hours and started to secure the property. We first secured the entry to keep looters off the property. Our employees then removed all the burned gas meters and capped off the gas lines that were still visible. Electric lines were disconnected to the burned out sites. Generators were rented to operate the sewage plant located on the property, and electric power to the community was off for almost three weeks.

We were able to isolate the water, gas, electric, and telephone service to the Phase 1 area where the majority of the homes were lost. We then started to restore services to the remaining 60-plus homes. The network was accomplished in just a little over three weeks. We established an office and point of contact. It was the major effort. Unfortunately, we had a building that was empty but needed remodeling of the utility services. We immediately started that work, and temporary utilities and generators were able to open an office within two weeks of the fire.

Our employees then started the effort to locate and contact the residents who lost their homes and obtained phone numbers and addresses where they could be contacted. All leases with residents who lost their homes were voluntarily cancelled. And the fees for any outstanding utility charges, which are charged in arrears, was put on hold until the residents could determine whether or not they could return.

The pre-removal was the next order of business, and we interviewed many contractors in an attempt to reduce the cost to our residents and our own required cleanup. Many of the residents were not insured and the volunteers from church and charity groups started to assist some of these residents and removed the debris from their lots.

The county of San Diego announced it would remove all the debris from the sites and settle with the insurance carriers. A cleanup effort by the county, unfortunately, did not get into action for a couple of months. Residents who had insurance hired individual contractors, as we did. These contractors cleared 27 lots and all the debris from our burnt office and other buildings and destroyed equipment. Altogether, the volunteers cleared six lots. The county cleared 17 lots. All debris was removed from the community in just a little over four months after the fire. We needed to establish utilities in the area, which was the next step. We outlined the plans, obtained the plans and permits, installed electric service, gas, water, and telephone service to the 49 sites in that phase.

In addition, we added an eight-inch fire line and six additional new fire hydrants in that phase. The installation of all these utilities was completed in a little less than 90 days and about nine months after the fire. Since the fire, only six fire victims have purchased and installed new homes in the community, and it appears that that will be the maximum that are able to come back.

Like many businesses, we were underinsured in many areas and had no insurance for our lost utilities which exceeded some half a million dollars to replace. We did have coverage for lost income for a period of 12 months. However, the insurance company has paid us less than half of that that we believe is due and we're continuing that battle.

In regards to the committee's concern relative to emergency preparedness and evacuation and Senate Bill 23, I believe every community, including manufactured homes, should have such a plan because they work. However, to require that such a plan be issued annually on top of having to issue one at the initial tenancy is really overkill, costly, and will be non-effective. As our residents are already inundated with all kinds of mandated notices, and more than likely these end up in the trash, issuing a plan at the initial tenancy should be sufficient and perhaps a reminder once a year that they should review the plan once they've been issued. We review our own plan on an annual basis.

Our industry needs to be treated equally with other forms of housing. And as such, we should not have any more stringent regulation in this regard than homeowners and condominiums, homeowners associations, subdivisions or residents living in apartments. We shouldn't—those residents, none of them, in our communities or those communities, should rely on management to evacuate them. They all need to be responsible for their evacuation. A plan can be good for a community, but it shouldn't be the responsibility of management or the residents shouldn't have to rely on management to evacuate them.

One other comment, I believe, Title 25 requires that local city or counties that assume the enforcement of the act have trained personnel to enforce the act but most do not, and the state does not seem to have the ability or the funding to require the same. We're aware of the financial position of the park, of the state and the counties and cities.

The language in AB 23 that requires or allows local enforcement to put more stringent controls on is just adding more confusion to the whole issue of local versus state, and I would suggest that HCD or the state body create that law and make it uniform for the whole state.

I thank the committee for hearing me today and your efforts to protect—to assist and protect manufacturing homeowners and owner, community owners as well.

If you have any questions, I'd be happy to answer them.

**SENATOR PADILLA:** Actually, yes, a couple of follow-up questions. I mean, I appreciate the statement when you say that mobilehome park owners should be treated the same as everybody else. But, clearly, mobilehome parks are unique. Otherwise, we'd have the same building-code requirements, for example, but we don't, for a number of reasons. There's obviously different densities than there are in other communities, sometimes less than, sometimes more than. It's because everyone is unique. And, you know, we know that there's mobilehome communities that are in coastal areas, some that are in desert areas, some in urban wildlife interface and others that aren't. So every situation is unique, so the statement that we should all be treated equal goes to an appropriate point. But, you know, we leave room for unique situations and circumstances.

You provided a couple of specific comments that we'll take as input to the legislation that I propose. But with some flexibility or room to work and improve upon the bill, I would ask you a fundamental, basic question: Would you agree with the concept of requiring an evacuation plan from mobilehome parks or no? You seem to have one, so it wouldn't affect you.

**MR. CASTER:** Yes, I believe in plans. But I think in making it mandatory, it should also be then mandatory for every other type of housing. Every time something is mandatorily reflected on a park, that cost and whatever goes with it, as you know, goes right down to the consumer.

**SENATOR PADILLA:** But it seems for you that the cost of putting the plan together doesn't apply since you already have one, so then it becomes a question of how are we sharing it with your tenants. You seem to agree with the element of the bill that says *upon tenancy*, correct?

**MR. CASTER:** Correct.

**SENATOR PADILLA:** And you disagree that it should be redistributed every year thereafter.

**MR. CASTER:** Correct.

**SENATOR PADILLA:** So, you know, whether it's every couple of years or whatever the frequency is, would you agree that there's some sort of regularity thereafter that may be appropriate?

**MR. CASTER:** Depending again on the plan that you mandate or come up with, that plan is a booklet this thick. You know, that's going to be a costly factor and ineffective, as I believe.

**SENATOR PADILLA:** And there's a third element of that, sort of disclosure to the residents, that would require it to be made available in a public space, whether it's a rec room or the manager's office or somewhere else, just making it available. Would you agree or disagree with that?

**MR. CASTER:** Yes. Many parks don't have those kinds of facilities, so that would be a concern for them to...

**SENATOR PADILLA:** Because everyone is unique, I get it.

**MR. CASTER:** Yes, everyone is different, as is all other forms of housing, you know, the duplexes and the multi-high-story units. They're all living quarters and they're all different.

**SENATOR PADILLA:** Well, it seems to me that we're a lot closer than apart, you and I, on this idea. I would love to have you, as an individual—it's not through whatever association you're a member of—come on record in support of the bill.

**MR. CASTER:** I do support the bill. I would like to see it changed.

**SENATOR PADILLA:** And this is an ongoing conversation.

**MR. CASTER:** Thank you.

**SENATOR PADILLA:** Thank you.

And while I have the mic, you have asked previously a couple of times, we've got some brief input on behalf of some residents, just your thoughts and feelings on the insurance question where you believe your, as a park owner, responsibility begins and ends, is there room for improvement on that front and same questions as far as the resident's responsibility, beginning and ending, and room for improvement on their responsibility.

**MR. CASTER:** Coverage is a personal matter, truly. However, in our park rules, we require that every resident have insurance. That is to protect the utilities, everything on the space, and their home. Unfortunately, that's really tough to enforce because our only alternative, enforcing the rule, as you know, is eviction. And I'm not going to evict somebody because they can't afford insurance or don't like insurance or for whatever reason they don't have it. So the lady mentioned something about having a pool for people that couldn't afford coverage, and I would certainly support something like that.

**SENATOR PADILLA:** Thank you.

**MR. CASTER:** You're welcome.

**SENATOR CORREA:** Thank you very much.

Yes, ma'am. Your name.

**MS. CATHERINE BORG:** Catherine Borg with the Western Manufactured Housing Communities Association, and I just wanted to report today that our foundation, the WMA Foundation, had collected \$105,000 from our members and are in the process of distributing that to the residents of the Oakridge Park who had applied for those funds through the help of the senator's office. Thank you.

**SENATOR CORREA:** Thank you.

One follow-up thought on the evacuation plans. It would be interesting to do something that's directed more at everybody to understand common sense than to be on the same page because common sense, I think, is relative. A good example, some of the residents said, when there was an evacuation, when they were evacuated, they weren't given a chance to pick up anything and they just left. I think that's probably, you know—stick built homes, it's the same thing. If

there's, you know, one of these situations—I know at the hearing I was at two days ago, the same complaint, a lot of the residents, they didn't even have a copy of the insurance policy and that was, you know, hard in trying to get to first base in terms of what they were covered on. But it would be interesting to put together some kind of a program that's cost-effective. Let's say, in the event, you know, this is what you've got to grab and run out the door; and if you're running out the door, this is the way you've got to go, something that's—I know it's a challenge to do but it's something that basically, that helps.

Again, I think we were very blessed. The firefighters did a great job and made sure not one life, I understand, was lost.

**MR. CASTER:** Correct.

**SENATOR CORREA:** But I want to make sure that it's not left up to chance the next time. So I look forward to working with you and the industry and the residents, of course. We want to make sure that we come up with something that works for everybody. Thank you very much.

**MR. CASTER:** Thank you very much.

**SENATOR CORREA:** If I may have the next panel and the next governmental agencies, and one late entrance into that is our—I believe it's LA City Fire Department, some of the other firefighters. If you can come up, and I'd like to have you make your first statement in this area, if you can. If we can have all the other government agencies come up as well. Welcome, as many as will fit, and we'll get everybody to make their statements.

Let me start out by, start out for you, by thanking the fire authorities that helped out at these fires. And again, thank you on behalf of the residents here locally and as well as my constituents in Orange County for the tremendous job you've done in saving those lives. Muchas gracias, thank you very much, and welcome to this hearing. Thank you.

**MR. JOHN TRIPP:** Good morning. Thank you again. My name is John Tripp. I'm the deputy fire chief for the Northern Operations Bureau of the county of Los Angeles Fire Department. Let me today also...

**SENATOR CORREA:** So you're with LA County?

**MR. TRIPP:** I'm Los Angeles County.

**SENATOR CORREA:** Thank you.

**MR. TRIPP:** Next to me is battalion chief Mike Bowman. He's with Los Angeles City Fire Department. He's from the Public Safety Command. Next is Assistant Fire Chief Mark Nelson. He is the fire marshal for the county of Los Angeles Fire Department and also Fire Captain John Hensch with the county of Los Angeles Fire Department specializing in codes and ordinances.

Both the fires—I'm, as the operations chief, I was the incident commander for both the Marek fire and for the Sayre fire. As the previous people that have talked this morning, and as most people understand, the conditions that we saw, both on October 12 and November 14, were historic, as far as the conditions that would push wildfires into communities, we had thousands of homes, single-family dwellings, businesses, commercial buildings, and, of course, the mobilehome parks that were downwind of that fire that moved very quickly, and we were faced with a very high challenge to get enough resources in to try to protect as much property as we could.

Number one was our priority of evacuation. And working with the Los Angeles Sheriffs Department and Los Angeles Police Department, we were able to get people out of harm's way that were immediately going to be threatened by fire. Those evacuations, although chaotic, were effective, that we did not have loss of life, and that was extremely anxious for us under those conditions. There was a lot of, on the fly, both with people that had never witnessed or experienced those types of mandatory orders to leave immediately because the fire was located right outside their communities.

Sometimes in the past, we've had fires where we get time to give out evacuation orders. But with these fires, they were immediately into the communities and we're still very appreciative for the cooperation we had by the community to get out of harm's way, and that type of preparedness with evacuation plans, community preparedness, CERT teams, preparedness for any kind of disaster is something that we've been professing for awhile. We continue to recommend going through this after action of these fires -- to continue for community preparedness among residents themselves so that they have a plan of notifying each other in getting out of harm's way.

**SENATOR CORREA:** Hold on. I have a question for you from Mr. Tennyson.

**MR. TENNYSON:** I'm John Tennyson, consultant to the committee. The one question, policy question, I think is important here, with regard to these fires or past fires where you've been challenged with this kind of huge situation where you've got to help evacuate numbers of people in dense communities like mobilehome parks, from your experience, how many of these communities have their own evacuation plans? Or are these folks organized in any of these cases that you've experienced, and have they been able to evacuate before the first responders get there, or is it primarily—has it primarily been the responsibility of county and city and fire and police agencies to evacuate them?

**MR. TRIPP:** The responsibility for ordering or identifying the need for an evacuation is the fire department. The responsibility to carry out that and coordinate the evacuation is law enforcement agencies.

Now as far as the individual neighborhoods, be it an area with mobilehomes, be it an area with single-family dwellings, we rely on the communities themselves, the streets themselves, just the same as the Neighborhood Watch Program or a CERT program, to be prepared as a neighborhood themselves to get out of those areas and that's what we rely on. Right now there is no mandate to have any type of emergency preparedness plan. That's a recommendation. We've initiated an outreach program to get into the communities, to get them, like all preparedness, to have that plan as a neighborhood plan.

**SENATOR CORREA:** Further comments?

Mike, go ahead.

**MR. MIKE BOWMAN:** Just on behalf of Los Angeles City Fire Department, I concur with everything that Chief Tripp stated and would like to add that I was in command of the evacuation branch along with Deputy Chief Moore of LAPD, and the relationships that we have between not only the city fire department and county fire department but it's also the law enforcement agencies—LAPD, LA County Sheriffs, and all the other entities within the city of Los Angeles—so I can attest to that, including our council office and our mayor's office of leadership they

provided, contribute to the great success that we did have in that evacuation and the mitigation of the fire that we haven't really experienced of that loss of dwellings since probably back in the '60s.

**SENATOR CORREA:** Thank you.

Mr. Padilla.

**SENATOR PADILLA:** I want to repeat a question that was proposed by one of the residents earlier in the hearing. I think I know the answer to it, but you're the best qualified to provide the answer, whether it's to evacuations in general or specific to Sky Terrace and/or Oakridge. And the question or the concern was, they weren't given sufficient time to gather their belongings and get out; it was just a get-out now. So I'd like for you guys to respond.

**MR. TRIPP:** On the Marek fire, it started on October 12 and it burned about 2,000 acres, and we put a large amount of resources, again, the largest amount of local aircraft there is anywhere in the United States, we had on that. We thought we had the fire contained. We had open flame, an advancement, stop. The winds subsided, like it was talked about earlier, and then later on the—and unfortunately, we still had fire up canyon all day, all night. Even though it was an open, flaming front, we did not have containment of the fire. And at any given time, those winds could surface, and then we would have had a blowtorch effect down Lopez Canyon which actually did happen the next morning.

We fought fire all night. The winds started to surface. When we get that large, high pressure, that wind can go up or can raise or surface. And once it surfaces and what it did that night, we were actively engaged in firefighting. We had people trapped up canyon in a camp. So we're always faced with the question of repopulating. That's what was happening on October 12 and then later on in the day. We still felt that there was a threat. And fortunately, we did not repopulate that area because the next morning, when the fire came through that mobilehome park, we had quite a bit of people under threat, not just that mobilehome park but that whole area of Pacoima. The fire started going right across Foothill Boulevard and marching into the city, so we had active firefighting going on.

So as far as how much time we had for the order to grab things, the first time we did evacuation, the fire was blowing across Cable Canyon and we thought it was going to go all the way over to all of you. So we were—the fire was moving so rapidly, when we gave the order to evacuate and get out, we felt that people would be in serious harm if they stayed for any given time. And the fire was moving that rapidly. Now in the middle of the afternoon, it stopped. The wind surfaced. We put a huge amount of resources on it, but we still felt there was a threat to the community, that we couldn't let it repopulate. And then a few hours later that night is when it blew down, a blowtorch coming down Lopez Canyon.

**SENATOR PADILLA:** And when you're in that situation, you have to make those decisions, whether it's hour by hour or minute by minute. Do you have a list of criteria or considerations in making those decisions?

**MR. TRIPP:** Yes. I mean, number one is life. And we're looking at how fast, how rapidly is the fire spreading. And we prioritize the immediate-need areas, giving an ordered evacuation, and then a voluntary evacuation in areas that may be farther downwind. The night on October 13, we had done, or LAPD had done, evacuations all the way to the 5 freeway from Pacoima Reservoir even

though the fire was still over on Pacoima Reservoir because, if it jumped that reservoir, we felt that it was going to go all the way to the 5 freeway. Though we know a month later, we'd have that exact same scenario where the fire started near Pacoima and went all the way, jumped the 5 freeway, and was going to continue to go all the way up Simi and Santa Clarita.

So when we're making those decisions of how to evacuate, who to evacuate, when to evacuate, we give that to LAPD and we identify those areas that are critical. We don't want to send people out of their homes if they're not going to be in harm's way because it's also a challenge for the Los Angeles or for the law enforcement because now they're responsible for those neighborhoods, ensure security of those neighborhoods. So we make sure that we only identified the areas that are. But the conditions that we saw, that fire was spreading much more rapidly than we could do, than we would have liked to give people an hour warning or 45 minutes' warning. The fire was spreading too fast for us.

**SENATOR CORREA:** Sir, go ahead.

**MR. BOWMAN:** Maybe on the Sayre fire, to answer your question, what we did there is we had certain trigger points. And when the fire would hit these trigger points on the predicted travel, which we were very accurate because the winds were so ferocious and blowing in at that particular direction, we would make an ordered evacuation for that specific area based on immediate life hazard. But what we tried to do is, through the media, let everybody know where the travel of fire is—these are the areas that ordered evacuations. These are the areas which are much further down or voluntary evacuations, and we try to let the community know from then that they better be prepared.

And the thing that I can see we can maybe do different through the media and the outreach, as far as the communication, is start having them prepared to get ready to go. And I hope maybe that might answer your question.

**SENATOR PADILLA:** Okay. Well, I just wanted to follow up, from the residents' concerns with this question and get the answers, so thank you for answering that.

The specific question that I have, again, as we're debating different policy areas, is, this bill I've introduced would require mobilehome communities to have evacuation plans. In your professional opinion, would that make a difference, or have you seen instances where it does or does not make a difference?

**MR. TRIPP:** Yes, it would make a difference. It would get the community—it would make the community engaged in preparedness, and that includes everybody that's in that community. So, yes, it would make a difference.

**MR. BOWMAN:** And I concur with Chief Tripp, and we actually had that in the scenario, as he mentioned before, with Oakridge. They actually had to evacuate a month earlier, and it was so successful, a big part of it, is because they were prepared. They actually had to go through all this and we were able to get everybody out so I totally concur with that. And Jim Featherstone can probably comment further on that.

**MR. JIM FEATHERSTONE** Jim Featherstone, city's Emergency Management Department.

Chief Bowman's right that there was a certain level of preparedness. I think one of the things that hasn't been talked a lot about is one phenomenon, certainly at the Sayre fire, was the ember storm. So the fire department worked in

conjunction with the folks down in EOC. We were supporting the evacuation effort, and there were certain trigger points. We knew certain things were going to happen relative to an evacuation. But the ember storm outpaced any sense of predictability of that fire. The fire front moves at a certain pace, but the ember storm with the winds in excess of 60 miles an hour created a whole different phenomenon for that specific fire.

**SENATOR PADILLA:** Thank you.

**SENATOR CORREA:** Thank you.

**MR. TENNYSON:** To change the focus a little bit from evacuation to preparing before a fire, in terms of, for lack of a better term, fire safety or fire code, and we're going to ask the same question of the representatives from the Department of Housing. As you know, mobilehome parks in California are primarily the jurisdiction of the Department of Housing Community Development, and that includes fire and safety issues code. However, there are circumstances where local agencies can assume jurisdiction for certain kinds of fire safety issues, such as fire hydrants, burglar bars, weed abatement, parking, and there's some other issues.

There have been some comments here earlier as well as we've received complaints in recent months and actually years with regard to issues in mobilehome parks. There's one gentleman—I don't believe he was from a park in this particular community but somewhere west of here in the valley—who is making a comment concerning fire hydrants. And the fact that the code requires a hydrant to have a separate water line, apart from, you know, the water utility system that provides water to the individual homes and, in particular, apparently in this park, that was not the case—and apparently in that park and some other parks, the fire hydrants don't work. What is your take on who has responsibility for the maintenance of these fire hydrants in terms of enforcement, of testing, and to make sure that they are kept up? I assume that would be HCD, but perhaps in some circumstances where the city or county has taken jurisdiction, it would be a county responsibility. Do you have a program in the county, for example, that deals with this issue of fire hydrant maintenance and upkeep to make sure these things work?

**MR. TRIPP:** As far as code enforcement, we do, and I'd like Chief Nelson, our fire marshal, to comment on that. So Mark.

**MR. MARK NELSON:** Thank you. First of all, I'd like to start off by telling the citizens here that I do not feel that anyone that lives in a mobilehome park is substandard in any way or fashion. I have relatives that live in such facilities, and I'm sure I speak for all the firefighters that were on this fire that we do not think of you as second-class or third-class citizens in any way or fashion. And we do regret your losses; we do feel your losses. As firefighters, there's nothing worse than seeing a family displaced from their homes, so our condolences to all of you and we do feel for your losses.

Getting back to the question, yes, we do have a maintenance program. We do check the hydrants. The station personnel assigned to Chief Tripp do go out annually to the home or mobilehome parks in their jurisdictions and they do flowtest the hydrants that are existing, the ones that do have hydrants, and they do check them to make sure that all the parts of that fire hydrant functions properly. The brush clearance, that's a different issue in a sense that also the fire

or the personnel assigned to the local jurisdictional engine companies do go out and do annual inspections at these facilities and other areas throughout their jurisdictions, and they do write up inspection reports when there are violations, and there is a brush clearance officer who is with our forestry division who's there to assist them. Whenever they come across a problem of enforcement, it's referred to the brush clearance office; and at that point, they take action to rectify whatever the violation is concerning brush clearance.

I'm not sure I answered all your questions; but if there's anything else I can...

**MR. TENNYSON:** Well, actually, there was a comment concerning one of the parks, Sky Terrace—storage of tires and trucks and other materials which were flammable. Apparently, it's still not clear to me whether it's actually within the park or on property owned by the park or adjacent to the park but, nevertheless, apparently a problem. Would you have jurisdiction in that area?

**MR. NELSON:** The enforcement agency responsible for that would be the Department of Public Works, Building and Safety. I don't know if we have any representatives here today but they would be able to address the permitting to allow such a facility to operate. I was at the fire. I was on both fires. I was the protection branch supervisor on the first day of the Marek fire, and that facility that you're speaking of, it's just north of where the trailers were and it was separated by nothing more than a chain-link fence. It was bordered—the two were bordered to each other, if you will, and there was a lot of tires; there was a lot of abandoned trucks and other types of machinery up there. And when it comes to permitting, the Department of Public Works for the unincorporated areas of LA County have jurisdiction. And when CUPs come up for those type of facilities, the fire department does have input to promote better life safety. In some cases, some of these facilities are existing nonconforming. They've been around for such a long time and their CUPs have not come up for review, and they remain somewhat of a hazard until we catch up to them through the CUP process.

**MR. TENNYSON:** That would be the Public Works' jurisdiction...

**MR. NELSON:** Yes, sir.

**MR. TENNYSON:** ...in the case of the county of LA?

**MR. NELSON:** Yes. And we do give our input with public works, but they are the primary authority that has jurisdiction.

**SENATOR CORREA:** Sir, would you like to make any comments?

**MR. JOHN SHELLY:** I'm Captain John Shelly, County Fire Department.

Title 25 allows local fire agencies to adopt their fire-prevention code and apply it to mobilehome parks, and LA County is apparently one of the eight fire agencies in the state that has done that. And our policy is to annually inspect mobilehome parks, and there's a limit of what exactly we can enforce in there by state law. And we do also respond to complaints to the best of our ability. And, of course, if it goes outside of the ten items, we refer it to HCD.

**MR. TENNYSON:** That brings up the question of, and I realize there's a budget issue here too, but from a policy perspective, is it—what's the point of having just ten items? Why wouldn't the fire jurisdiction be able to take over any legitimate fire code issue within a mobilehome park, not just certain specific items? Do you have a comment on that?

**MR. SHELLY:** Well, that's what's allowed by the state law.

**MR. TENNYSON:** I know that. But, I mean, should we do more?

**MR. SHELLY:** You could, you could, but then again it comes down to costs. For a lot of government agencies in this day and age it is cost. It is a big factor and even with HCD. They're having budgetary problems. I think it's a good idea, and I think local control would offer better control on fire hazard issues.

**MR. TENNYSON:** Thank you.

**MR. NELSON:** One other thing I'd like to comment on, we now require fuel-mod communities to have more restrictive construction standards within the very high fire hazard severity zone areas. We also require in those communities fuel-mod [modification] plans. In other words, they cannot plant anything around their homes that is naturally flammable. Certain species of brush and plants are known to be flammable and they are restricted from those communities, and I believe that we can do more in the future mobilehome parks to maybe mirror those regulations as far as construction standards, fuel-mod plans.

They found that placing walls—I think one of the people here testified how the wall helped save their home—homes—there. A lot of studies have been done on embers flying in high winds, and walls do serve as a buffer to block the brunt of some of these firestorms that come through. So personally, as a fire marshal—and I'm sure this is shared by every other fire official—it would be good to see eventually in the future for any new mobilehome parks going in that they at least mirror the standards today for tract homes as far as construction, fuel-mod, etc., because it's been proven on our last fires. Stevenson's Ranch was an example in the past fires we had that we do not need to evacuate as much. I mean, we still do it out of safety for the people but it's not as big of a factor of safety when the surrounding homes are less likely to catch fire due to the fact of the construction and the fuel mod plan. Thank you.

**SENATOR CORREA:** Are there other questions?

Gentlemen, I would like to thank you very much for coming. If you can, submit also your cards to the sergeant so we'll be able to coordinate your information with the written testimony as will be later on published.

Just one final comment from me. The issue of the evacuation, some of the residents evacuated very quickly without any time to take your personal items and then nothing happening for 24 hours. I've got to tell you, I've closed my eyes and think of myself if that were to happen to me at my house, what would I do and what I would go through if I lost my most valued possessions. Those things are irreplaceable in your life, and many of those, all of us have. Yet, at the same time, as these firefighters said, you're out of control; you thought the clear, present danger was there at that moment. You held it off for a few hours but then eventually came back and destroyed the whole area. This is a tough one because I will not second guess a fire authority in doing their work and saving those lives. So again, I want to thank you for your work and I will work with the residents and try to come up with how to mitigate these challenges in the future.

We do have a question, I understand here? Hold on a second, gentlemen, before we let you go.

**MR. TENNYSON:** We do have one question from the audience, going back to the issue of fire hydrants. I'm going to have to paraphrase this. Apparently the concern is, with a situation where you have HCD overseeing this fire hydrant maintenance program in some parks and fire agencies, at least the eight

jurisdictions that you referenced, where does the paperwork go? Where is the information available to the public? And I think this was referenced earlier by one of the resident witnesses, where can you obtain information about whether these hydrant systems are in fact being maintained and what's going on? Does that all go to HCD or do you keep those records, if it's a local responsibility?

**MR. SHELLY:** In Title 25, HCD has a fire hydrant maintenance procedure, and there's a form that they require on a regular basis for them to report their fire flow in the park. One item that you may consider doing is, the state fire marshal in Title 19 regulates fire, automatic fire protection systems. They have recently adopted NFPA-25 which is maintenance of water-based fire protection systems.

In that document, there are more detailed procedures on how to maintain a fire hydrant system. I'm unclear of the legality if an automatic extinguishing system or a standpipe system connected to it, if it could be enforced in there. I was going to research that with the state fire marshal and ask them for their opinion on that, but that may be a consideration to take a look at to have a little bit more careful consideration and maintenance records and use an established procedure that's set by the state fire marshal to maintain those hydrant systems within the park.

**MR. TENNYSON:** So what you're saying is that we definitely could improve their recordkeeping system?

**MR. SHELLY:** When I read the state regulations, I'm confused at exactly where the fire department or local can apply their regulations which basically would be the state fire marshals' regulations. It's unclear because they do regulate testing of the hydrant within Title 25. And if they do regulate something, it's usually preemptive. In other words, they maintain jurisdiction of that.

**MR. TENNYSON:** One other quick question—I'm sorry to belabor this—but I failed to ask about the issue of ingress and egress which, I believe, is within the ten categories of the eight jurisdictions that you referenced could have control over. There was reference to a park in which one of the exits was locked. How would that be regulated? Would a fire—you're not necessarily going to be there when the residents are first trying to get out. But would a locked gate, if you only have two exits, be a violation of the code?

**MR. NELSON:** Yes and no. New facilities, if there are a certain amount of mobilehomes in the park, there's a threshold where they have to have two dedicated access points for egress and ingress.

In existing non-conforming parks, which many of these are, we cannot enforce any of today's standards on these mobilehome facilities. We did handle one complaint—Chief Tripp and my office were involved—concerning a secondary means of an exit gate, if you will, that was locked. The primary exit or access to this facility was maintained per code when it was built so it met our code requirements.

When we go up to these facilities during emergency operations, first thing we do is we either cut the bolt, or we have a key through a Knox system, or the responsible party at the facility will open it for us. But we do not have the authority to require that second gate, if you will, to be open when, at the time the facility was regulated, they were only required to have one access point.

**MR. TENNYSON:** Those are the pre-1961 parks, I understand; is that correct?

**MR. NELSON:** That would be correct. I'm not sure when the state required a second means of access.

**MR. TENNYSON:** We'll ask those same questions with HCD. Thank you.

**SENATOR CORREA:** Thank you very much.

**MR. NELSON:** Thank you, thank you.

**SENATOR CORREA:** We continue with the panelists. We'll start from the left and move onto the right, so welcome.

**MR. SAL POIDOMANI:** Senator Correa, John Tennyson, thank you for the opportunity to come up here and hopefully share some valuable information—Senator Padilla.

My name is Sal Poidomani. I'm with the state of California, Department of Housing and Community Development, the southern area office, regional manager.

I'm here to talk about fire prevention for mobilehome parks basically, specifically dealing with the ignition-resistant construction systems. As you know, there are new laws that are in place that are applicable to manufactured homes, not only in manufactured homes located outside of mobilehome parks. But as of January 21 of last month, it also applies in mobilehome parks under HCD jurisdiction. That law was first enacted back in September of 2008. It wasn't until last month that we adopted those regulations into our Mobilehomes Park Act. So now every home that is altered or converted, any mobilehome park must comply with the ignition-resistant construction systems dealing with the roof covering, siding materials, windows, safety-tempered windows, and fire-rated doors, as well as the underfloor enclosures.

We have already started issuing permits for mobilehomes that are going to be altered, whether it be the roof, the siding, or windows, the materials used in that alteration comply with the ignition resistance, construction safety requirements. We've also been, or now, we have access to the state fire marshal's website where they have already identified in the entire state of California the high-fire severity zone areas under state-responsibility areas. And so we are now accessing that site any time we issue a permit that we can locate exactly where that home or the subject home is being altered is located, whether it's located in a high fire zone or a non-fire zone. And so that really helps our customers because prior to that, when they came to the counter to apply for a permit, we had to send them back to the city or the county to find out exactly if that home was located in the fire zone. So now we've eliminated that by having this website and the fire zone maps identifying the geographical areas, so that's what we've been doing.

The question with the local fire department's assumption of enforcement for their own fire prevention codes in mobilehome parks under HCD jurisdiction, now currently the county of LA, they have jurisdiction over their own fire prevention codes in mobilehome parks not only in the county but also in 56 cities within the county of Los Angeles.

**MR. TENNYSON:** Only for those eight or ten categories that the code section allows; is that correct?

**MR. POIDOMANI:** Yes, only in those ten elements within that section of the California Health and Safety Code. That's 18691 of the Health and Safety Code. While that section limits it to ten elements of the fire prevention areas, there's also, in the last paragraph of that section, it also allows the state fire marshal at their

sole discretion to—if the condition within the mobilehome park poses an immediate threat to health and safety, they can go beyond those ten elements.

And so the other question was, “Why can’t the local fire department assume everything having to do with fire preventions in mobilehome parks?” There are sections in our regulations that where the city has assumed enforcement responsibility of the Mobilehome Parks Act that at that point the local fire department can impose greater restrictions than what is specified in Title 25. As you know, Title 25, or the Mobilehome Parks Act, is a state preemptive law; so any city or county that would opt to assume enforced responsibility, they’re really bound to enforcing those state preemptive laws, with the exception of the fire prevention areas. If the city has jurisdiction, then at that point, the fire department can impose greater restrictions than what is specified in Title 25.

Another question came up concerning the fire hydrant testing and flow tests for parks under our jurisdiction where we have total responsibility for the fire prevention components within the park, fire hydrants, clearance of brush, and those things. We do have documentation in our office for every mobilehome park under our jurisdiction. The permit to operate every mobilehome park under our jurisdiction is contingent, or the issuance is contingent, upon receiving the Fire Hydrant Certification Report from the park owners. So for every permit to operate that we issue, we do check and do require a Fire Hydrant Certification Report.

Now what the law says is, every year on an annual basis the fire hydrant systems and equipment must be maintained, operated, make sure that all the equipment is functioning, that clearances are being maintained, and that once every five years that they can conduct a flow test. Now the Flow Test Certification has to be approved by either a contractor holding a C-16 license or the fire department or the water company in those cases. But we do have that documentation. If anyone here wants to obtain a copy or find out whether their mobilehome park has been certified or that the fire hydrant systems and equipment are functioning, you can also—you can contact my office, and we’ll be more than happy to provide you that information.

**SENATOR PADILLA:** I also wanted to expand on the question or the topic of, you know, of having these reports or certification or lack thereof made available. When a park is visited by an inspector and either passed with flying colors or there are some violations that are found, how are those reports made available?

**MR. POIDOMANI:** Any report or any notice of violation that we issue or an inspection report that we write can be obtained through a public records access to our office. They can merely fill out the record access form at my office in Riverside and we can provide those records.

**SENATOR PADILLA:** If those are indeed public documents, have you received a suggestion or have you ever entertained putting that information online to make it easier for residents or anybody who is interested to obtain that information?

**MR. POIDOMANI:** You know I believe that form is available online on our website.

**SENATOR PADILLA:** Not the form that inspectors walk through, you know, to fill out, but the actual result of the inspection and the findings.

**MR. POIDOMANI:** Okay. The actual results of any of our inspections or findings, those records are maintained in our office. There's nothing on our website to that effect but they can certainly call our office.

**SENATOR PADILLA:** Is there anything to prevent us from putting those online?

**MR. POIDOMANI:** Volume, yes. There's literally a volume of...

**SENATOR PADILLA:** But there's no privacy or legal...

**MR. POIDOMANI:** No.

**SENATOR PADILLA:** ...issues?

**MR. POIDOMANI:** No. Those are public access.

**SENATOR PADILLA:** So the only way they are available for public review are either somebody visiting your office physically or making a request through the phone...

**MR. POIDOMANI:** Yes.

**SENATOR PADILLA:** Or issuing a public records request.

**MR. POIDOMANI:** That's correct.

**SENATOR PADILLA:** Gotta believe we can make it easier. Thank you.

**MR. TENNYSON:** Okay. On these reports, if I might ask, so they're filed at the time the annual Permit to Operate is renewed and filed; is that correct?

**MR. POIDOMANI:** That's correct.

**MR. TENNYSON:** Is that, the maintenance, the annual Maintenance Report, as well as the five-year Flow Test Report?

**MR. POIDOMANI:** That's correct.

**MR. TENNYSON:** And so are those reports actually checked, or are they just checked to make sure they're included in the packet, along with the check for the renewal fee?

**MR. POIDOMANI:** No. We check the report to make sure that everything in that form has been completely filled out, that it has been signed by the appropriate or responsible person, whether it be the park manager for the maintenance of the equipment or the fire department or the contractor with a C-16 license. We make sure those are signed and that everything in that form was filled out in its entirety.

**MR. TENNYSON:** Does that include the reports on the parks in those eight jurisdictions, including LA County, that they've taken on responsibility for those ten fire areas, including fire hydrants? Do you maintain those reports or does the county?

**MR. POIDOMANI:** The county does.

**MR. TENNYSON:** Okay. And how do you spot check that these reports are accurate? Through the MPM program, or how would that be done...

**MR. POIDOMANI:** Well, we...

**MR. TENNYSON:** ...in the field?

**MR. POIDOMANI:** Generally, when we were out there at any mobilehome park conducting an inspection of an accessory structure or a mobilehome installation, we will check to see, first of all, if the park has a valid permit to operate. If that park does have a valid permit to operate \_\_\_ in the park, we know that that permit was issued based on the fact that a Fire Hydrant Certification Report was submitted and approved. During our inspections, during our mobilehome park maintenance inspections, we do inspect the fire equipment

within the park as well as everything else we look for, such as setbacks, fire separations, construction, accessory structures, not only on the lots but in the common areas in the park.

**MR. TENNYSON:** Do your inspectors have—are they trained to do a flow test?

**MR. POIDOMANI:** No, we're not. That's why we defer that to the fire department or a contractor holding a valid C-16 license.

**SENATOR CORREA:** Thank you very much.

The next presenter.

**MS. KIM STRANGE:** Senator Correa, can you hear me?

**SENATOR CORREA:** Welcome.

**MS. STRANGE:** John Tennyson. It's a pleasure for the department to be here and testify. In the preservation of time here, I'll just give you an update on Oakridge and where we are in the actual inspections that we have done. As a courtesy, we've inspected...

**SENATOR CORREA:** Before you start, if you could give, for the record, your name.

**MS. STRANGE:** Oh, I'm sorry. Kim Strange, deputy director for the Division of Codes & Standards.

**SENATOR CORREA:** Thank you.

**MS. STRANGE:** So in the Oakridge Park, we've inspected 109 of the homes that survived the fire. Eighty-four of these homes had been yellow tagged which means that they'll be ready to be reoccupied once there's a safe environment around the home as well as a safe path of travel to these homes. Twenty-five homes have been red tagged and will either have to be removed or repaired, depending upon the level of damage and the homeowner's insurance. Twelve homes are still awaiting inspection and should be included by next Friday, and nine homeowners have chosen to use their own private contractors for certification.

So as you're aware, we've given temporary as well as partial authority to the city of Los Angeles for the debris removal. However, we're providing any technical assistance that they may need in order to assist them in this process. We're also working with any residents or permits that may be needed for the reinstallation of homes once the sites are made ready and those repairs that may need to be done on the existing homes. Thank you.

**SENATOR CORREA:** Thank you.

Sir.

**MR. TONY CIGNARALE:** Mr. Chair and Members, Tony Cignarale, Insurance Commissioner of Steve Poizner's Office. I'm the deputy commissioner for Consumer Services and Market Conduct. I'm here to essentially answer any questions that you might have. I was provided with two questions through my office from the committee. I'd be happy to just touch base on those real quick.

**SENATOR CORREA:** Please, and good to see you again.

**MR. CIGNARALE:** You too.

One of the questions was, What are the disparities between a traditional homeowner's policy and a mobilehome policy?

For the most part, they're very, very similar. There are two or three very clear differences. One is in the area of additional living expenses. Additional living

expenses in a traditional homeowner's policy may be for a six-month period of time, a 12-month period of time, or sometimes a 24-month period of time. In a mobilehome policy, on the standard policy, most of them suggest that they can stop the additional living expense coverage seven days after they've made—the insurance companies—made an offer of settlement on the claim. So it's the great disparity between many months versus seven days.

The fortunate aspect with regard to specifically the Sylmar/Oakridge was that, because that area was designated a disaster, a state and local disaster, it automatically triggers a recent state law that requires 24 months of additional living expense coverage. So even though those policies did say seven days, that's automatically superseded by the 24-month requirement in the statute for any county, city, or local declared emergency for those particular areas.

With regard to debris removal, there's a clear distinction there. Debris removal on a traditional homeowner's policy basically covers the full cost, and it also provides an additional 5 percent coverage above the insured's policy limit. For example, if you have a \$100,000 policy limit, if you've exhausted your limits in rebuilding your home, there's an additional 5 percent available to you, in other words, \$5,000, for debris removal specifically. With a mobilehome policy, it's capped at \$500. So if these had, if the mobilehome policies that we're looking at today, let's say, for example, in Sylmar, had a more traditional debris removal coverage, they might get up to \$5,000 or more of coverage for debris removal which would mean the majority of that debris removal would be reimbursable to whoever's actually doing this debris removal. In this particular case, it's limited to \$500 per unit. With regard to the unit owner, and specifically to the Sylmar, the Oakridge, we've examined that policy and it has about a \$50,000 debris removal coverage for the non-common areas and then it will cover its own debris removal for those common areas or for the common areas.

The last distinction is really in the area of replacement costs. Replacement cost for a traditional home is a little bit different than it is for a mobilehome. A mobilehome has, you know, kind of a year and a make and model attached, and a manufactured home has a year, a make, and a model attached to it, whereas a traditional home does not and so there is a market out there, so to speak, for a clear, another like, kind in quality structure that you can tag to and look at a replacement cost whereas in a traditional house it's more of how much does a contractor—how much will a contractor charge to come in and rebuild that home.

Where it comes into play here is that in mobilehome policies, the new codes that we're hearing about that were just mentioned a minute ago and that we're also hearing about and we also are hearing that the Oakridge, for example, is requiring new homes to be replaced in that area to be 2009 or newer manufacturer year—in other words, some of the homes may be 20, 30 years old. When they replace them, once the debris is removed, they're going to be required to replace it with a 2009. A 2009 obviously is going to cost a lot more than what they had there, and many of these policies had a replacement cost that was commensurate with the value of the structure they had with some upgrade coverage but not necessarily enough to cover the purchase of a completely new, you know, current-year model of their structure so that that will be an issue that will come into play in terms of underinsurance for some. There are some policies with some of the people that we've been dealing with that do take that into account and that may

cover over and above those policy limits if the replacement is higher than that, but we're seeing that that's a small percentage of a total population of those structures.

**SENATOR PADILLA:** If I may, a few questions.

I've heard you speak—correct me if I'm wrong—but primarily about the insurance discrepancy issues from the point of view of the residents. Any comments or observations to offer on insurance obligations or lack thereof on park owners; and beyond that, sort of where the responsibility or liability starts and stops for park owners versus residents?

**MR. CIGNARALE:** We're not seeing that there's a vagueness in where the insurance responsibility is. For the most part, it's clear what the park owners' insurance company covers, and it's clear what the unit owner's insurance coverage covers; and there aren't a significant amount of gaps in that coverage. What there is, in the area, for example, of debris removal, a limitation in what both sets of insurance companies in those two sets of programs are willing to offer in terms of their level of coverage. So the suggestion, I guess, would be, if \$500 is not enough to remove debris on a total loss of any modular or manufactured home, then perhaps that limit is too small and it should be changed.

**SENATOR PADILLA:** And can you speak to the responsibility or obligation of the residents and what type of coverage, if any, they need to have? I think we've learned through the experience with the current law what the requirement is, but any suggestion from your office to revisit that or change that?

**MR. CIGNARALE:** We really don't have—obviously we'd like to see everybody insured to the highest degree possible. We understand that obviously that many people in those situations can't afford it. Certainly the park owners' obligating insurance goes a long way but that is an additional burden or if, for some reason, they can't afford it. If they have a loan, obviously, the lender will require some form of insurance.

There is the California FAIR Plan which is out there for high fire risk, urban areas, as well as brush areas, and that coverage is available to basically all residents of California with four units or less. So it is available, either in the designated urban areas or the designated brush areas without having to even be declined by another insurance company, but it's also available statewide to all four-units-or-less residents if they've been declined by three insurance companies for coverage and then they're eligible to obtain a FAIR plan coverage. It's a little bit more narrow of coverage, but it is coverage that is available as a last resort, let's say.

**SENATOR PADILLA:** So that is a state option?

**MR. CIGNARALE:** It is an option. It's not a subsidized program. It is strictly a self-sustaining program, California FAIR Plan. If it does run out of money, it's required to then go out to the insurance industry on a pro rata basis, based on their market share within the homeowner's market and seek assessments. It hasn't done so, so it is currently self-sustaining.

**SENATOR PADILLA:** And residents of mobile or manufactured homes are eligible?

**MR. CIGNARALE:** They should be. I really would have to go back and check that, but I have not heard otherwise so I'd like to check that.

**SENATOR PADILLA:** Let's double check that. Get back to my office, please?

**MR. CIGNARALE:** Certainly.

**SENATOR PADILLA:** Thank you.

**MR. TENNYSON:** Okay. I have a couple of questions to follow up with what Senator Padilla indicated. If you could provide the committee as well with information about the California FAIR Plan and specifically whether manufactured homes and mobilehomes in parks, not just mobilehomes on private parcels are eligible, that, I think, would be important.

We've heard through newspaper accounts and also from residents that a lot of mobilehome owners, manufactured homeowners, particularly those living in parks, do not have homeowner's coverage. Does the Department of Insurance have any statistics or information available to verify those claims?

**MR. CIGNARALE:** We have no independent verification of that. We only go by what we see in terms of what's reported by the insurance companies in terms of the number of claims that are reported to insurance companies and then reporting back to the department as well as looking at the fire department or the CAL FIRE records as to how many structures were lost. For example, in the Oakridge, it was very, very similar, the number of structures lost versus the number of homes reported by the insurance companies that they insured in that park, and it was approximately a 90, 95 percent insurance to non-insurance ratio.

**MR. TENNYSON:** Okay. So you have figures available in the event of a fire or disaster like this, but you don't have an overall study or information on homeowners in general versus mobilehome owners?

**MR. CIGNARALE:** No. But we would track if we received a complaint for example, that a manufactured homeowner was saying they were unable to cure insurance and they were having a problem with that, for whatever reason, whether it's price, affordability, availability. We would track that. We'd get very, very few complaints in that regard so the number is very, very low.

**MR. TENNYSON:** Okay. To follow up on your comment with regard to debris removal and the caps that are on traditional or stick-built homes versus manufactured homes, this cap, are you talking about a coverage that would be typical for homeowners or a fire policy on a manufactured home or mobilehome, or are you talking about some kind of regulatory requirement?

**MR. CIGNARALE:** The \$500 cap on debris removal that I spoke of is strictly a standardized, comes from a standardized manufacturer or mobilehome insurance policy that most or all insurance companies use. It's not a requirement that those insurance companies use those forms, number one, and they're not being required to limit it to \$500 based on any regulation or statute.

**MR. TENNYSON:** And there's no requirement in California that homeowners' policies include a provision, or prevent an exclusion, for debris removal in event of a fire?

**MR. CIGNARALE:** Correct.

**MR. TENNYSON:** Thank you.

**SENATOR CORREA:** Our next presenter, please.

**MR. MARUYAMA:** Mr. Chair, Senator Padilla, Mr. Tennyson, I'm Tom Maruyama, director of the statewide of the statewide operations for the California Emergency Management Agency, CalEMA, formerly the Governor's Office of

Emergency Services. On behalf of Secretary Bettenhausen and Undersecretary McCarton, we thank you for inviting us to this very important proceeding. CalEMA works with local municipalities, state, and federal agencies to prepare for, respond to, and recover from emergencies and disasters. Our fire and law branches coordinate mutual aid statewide in preparation for possible incidents and during events from within the state and also outside.

I was asked today to present on two items. One of them, first, was preparedness. That's a local responsibility. However, in compliance with the Flood Emergency Action Team, the FEAT initiative, number five, the governor signed Executive Order W-156-97 which called for creating a guide for mobilehome parks in preparing for natural disasters and manmade emergencies. This emergency plan was approved by the Standardized Emergency Management Advisory Board and HCD on November of 1997. This is the document. It's in the packet that was provided to the panel today, and we also have extras in the back. It's also available on our website at [www.calema.ca.gov](http://www.calema.ca.gov), so it's downloadable for all that would like to get it. And I would like to also mention that it is inclusive for evacuations, for floods, tornadoes, and fire and earthquake. So it's a pretty comprehensive document.

**MR. TENNYSON:** Question: How many mobilehome parks follow your plan?

**MR. MARUYAMA:** I could not tell you that, Mr. Tennyson, as it is only a guide but it is available and it's not—we're not regulated to have to ensure that mobilehome parks use it.

**SENATOR PADILLA:** Well, I'll wait till the end of your presentation.

**MR. MARUYAMA:** Okay.

**SENATOR PADILLA:** But I do have some questions.

**MR. MARUYAMA:** I'd like to next go onto the Marek and Sayre fires.

The Marek fire, for example, did not get a presidential declaration. The fire occurred on October 12 of 2008. The governor proclaimed a local state of emergency on October 12. And because the fire caused limited damage to public infrastructure and 75 percent of the emergency response costs incurred by local and state response agencies were covered by the federal government with a Fire Management Assistance Grant, commonly referred to as FMAG, the estimated net costs incurred by state and local agencies for this fire are \$4.5 million, well below the federal threshold of approximately \$44 million required for disaster declaration. The computation method of that is that the federal government under the Stafford Act requires that \$1.31 per capita to meet the state threshold, which is approximately \$44 million, once we have reached that threshold, the county in which the disaster is, in this case, Los Angeles County, would have to reach the threshold based on \$3.28 per capita to be able to qualify for requesting a federal emergency.

In response to the Marek fire, Governor Schwarzenegger proclaimed a state of emergency to direct the state agencies to waive fees and penalties for services such as replacement of important documents and asked the U.S. Small Business Administration to implement its Disaster Loan Program for homeowners, renters, and business owners. This was done on October 28. We got a response back from SBA and they did in fact start their loan process availability. The Marek fire destroyed 39 properties, caused minor damage to 20 other homes. In contrast, the

Sayre and freeway complex fires combined in damage approximately 1,158 residences in Los Angeles, Santa Barbara, Riverside, and Orange Counties, including 636 residents in Sylmar. Because of the magnitude of these fires, Governor Schwarzenegger requested a major disaster declaration which was granted by the president. And my partner, the federal coordinating officer, Mark Neveau, will speak about the declaration process.

**SENATOR PADILLA:** Going back to the first part of your presentation, it's helpful, I think, that the CalEMA—is that what you're calling it now?

**MR. MARUYAMA:** Yes, sir.

**SENATOR PADILLA:** I have to reprogram the OES from my brain—makes available sort of a guide, you know. We suggest, we encourage, you know, we hope that mobilehome parks have evacuation plans and preparedness plans. But as of today, it is not a requirement; it's not a mandate. My question to you is, in your professional opinion, would it help if it was a requirement?

**MR. MARUYAMA:** Senator, in my 35 years of public safety, I believe it's important that we do have some requirements. It is certainly a miracle that the Oakridge Mobilehome Park incidents, that all of those residents and visitors that were at that park evacuated without injury, without death, and it certainly had to be neighbor helping neighbor as well as public safety officials. And I believe that neighborhood emergency response teams or community response teams certainly plays a big part in neighbor helping neighbor.

**SENATOR PADILLA:** So I'll repeat my question. In your professional opinion...

**MR. MARUYAMA:** Yes.

**SENATOR PADILLA:** ...would you agree that a requirement to have an evacuation plan...

**MR. MARUYAMA:** Yes.

**SENATOR PADILLA:** ...is in order?

**MR. MARUYAMA:** Yes, very much like hotels are required to have them and other high-occupancy locations.

**SENATOR PADILLA:** Okay. Thank you. Thank you for saying that on the record.

The other piece—and I don't want to get into a day's-long debate here—but when you came up earlier and offered a clarification about a state of emergency that was declared by the governor in one fire versus the other—and I wanted to further clarify the distinction between a local declaration, and a state declaration, request for federal assistance. And you've pointed out the technicalities to us of one fire versus the other. I'm not here to pit one disaster against another or the victims of one against another. Our collective job is to try to bring forward any assistance and reach as far as possible for people trying to rebuild their lives. So if it's not directly from one FEMA program, I'm just concerned that by not moving forward with the federal request on the Marek fire, we have both: A) not giving FEMA the option of saying yes or no, possibly bending the rules and doing so, or, B) saying, well, no, not from this pot of funds but here's another pot of funds that may help people. We just, somehow in the chain of command, made a decision to not even submit that request for application to the feds. So can you please elaborate on your response.

You mentioned a SBA program that could be or has partially been of assistance to people, but what else is there; we else can we do?

**MR. MARUYAMA:** Senator, that's a very good question. And the difficulty is much like the California Disaster Assistance Act here in the state of California which we have to abide by when we get into disasters and emergencies under a proclamation. We have to abide by the Robert T. Stafford Act which governs FEMA and the federal agencies.

There is one element that is missing, and I'd like to bring it up here publicly so you're aware of it. The California Disaster Assistance Act is geared toward assisting public agencies recover from emergencies and/or disasters. As I mentioned, there were 11 such declarations by the governor this past year. There is no mechanism currently under that act for us to give individual assistance to folks that are within this declaration. That's the part that FEMA brings when an emergency is declared under EM for the federal. If we were able to have that individual assistance portion at the state level, it is my professional opinion that we could help a lot more folks out.

Now when we talked about SBA, if we were to request an emergency declaration from the president through FEMA, it would hold up that SBA request to come in to assist until FEMA has made the determination going through their legal department to deny us that emergency declaration which could take a long period of time because they would have to look at all of the factors there because we have not met that threshold. So in this case, in the Marek case, we were able to get SBA in there very quickly because they didn't have to wait for FEMA to deny it. So answering your question, if we had an individual assistance program here at the state level, that would help out a lot.

**SENATOR PADILLA:** I hear you. And as much as Senator Correa's heart and my heart want to do that, I think we're all realistic about the budget situation that we're in, not as an excuse to not do it but figure out how and when, sooner rather than later, if we can move in that direction, just another clarification for the benefit of the public, while our disaster relief for reimbursement—whatever you want to call it—structure is in place, as you said, to assist state and local jurisdictions in the cost of responding to and responding from a disaster, I just can't ignore that benefits from different levels of government to victims of those disasters are often tied to what scale of disaster it was. And when we make a declaration here versus a declaration there, we are directly limiting or expanding the eligibility of resources, victims are available for, based on these declarations so there is a linkage.

**SENATOR CORREA:** Ma'am, go ahead.

**MS. ZUCHEGNA:** May I...

**SENATOR CORREA:** By the way, I just want to say, we have about ten minutes left and we'll try to get the other presenters and so go ahead.

**MS. ZUCHEGNA:** I'll speak quickly and I thank you for letting me speak out of turn. But very quickly, the way it works when you've been impacted by one of these disasters is, first, it's your insurance. If you are underinsured, and that can be established and you apply for an SBA loan, the SBA loan people will come out, evaluate your property, your contents; and for whatever you were uninsured for, you're eligible for an SBA loan provided that you meet the ability to pay back that SBA loan. People in a crisis situation like this, some of them lose their jobs

because of it; they're displaced. And the idea that they have to meet the same level of requirements to pay back a loan, as you would if I were going in and applying for a car loan, it seems to me a bit extreme, though we are grateful the SBA was available for that. However, FEMA money is different.

If you're not eligible to pay back an SBA loan so you're not then—therefore you're simply out of luck and you had no insurance, the last line of defense is FEMA which can give you a grant that does not have to be paid back. And our most vulnerable tenants, our elderly tenants who are uninsured, were not eligible for they had no insurance money, no SBA funds available to them. And because, apparently through a decision that was made, they're not eligible for FEMA funds either and that's all I wanted to say.

**SENATOR CORREA:** Again, just identify yourself for the record.

**MS. ZUCHEGNA:** Oh, my name is Linda Zuchegna, and I was a resident of Sky Terrace.

**SENATOR CORREA:** Thank you.

And on that comment, let's go to Mr. Mark Neveau of FEMA.

**MR. MARK NEVEAU:** Good afternoon. I will make my comments brief so that Mr. Featherstone also gets an opportunity to speak here, my friend. Thank you.

My name is Mark Neveau. I'm a federal coordinating officer.

**SENATOR CORREA:** You've got about five minutes.

**MR. NEVEAU:** I've gotcha—federal coordinating officer with FEMA, and we're responsible for coming out at the designation of the president of the United States whenever there's a declaration through FEMA. We are assigned to come out and manage and coordinate the federal government's response to the presidential disasters as well as the recovery.

A couple of items, we are here today—we can talk about the declaration process; we can talk about the difference between the Marek and the Sayre fire; we can talk about Oakridge; we can talk about preparedness; but we're running out of time. So I want to focus my comments particularly on Oakridge and a couple of items.

First, to date, FEMA and CalEMA have received 636 applications for assistance in Oakridge. To date, \$1.6 million have been awarded to eligible applicants through the Individual and Housing Program. Now this is what's kind of interesting about what took place in Oakridge, and I think it's important for the panel to understand: When FEMA came in to try and help, we took a look at a unique situation which was Oakridge. You had complete devastation of over 500 homes. You have approximately 100 of them standing. You have victims who have \$500 of debris coverage to be able to try and rebuild. You have a limited liability corporation who doesn't have enough insurance to be able to pay for the debris cleanup. You have the people responsible for the park, the Housing and Community Development from the state. The state cannot reimburse itself. So when we say, FEMA, come in and help, FEMA says, okay, we'll do that. To some degree, it's private property. It's a limited liability corporation and it's for profit. And so the idea behind that is not to use taxpayers' dollars in the venture for profit. However, recognizing the severity of the incident, Tom and I convened a number of agencies—state, local, and federal—in December to try and find a resolution to the problem.

Not only were there governmental agencies, the Limited Liability Corporation was there as well as their attorneys. And what has happened is, the city has stepped up, the city of Los Angeles, to say, we'll be the applicant. In essence, what that means is, as the applicant, they'll have responsibility for debris cleanup. FEMA will step in to reimburse them at 75 percent of eligible costs. The state can step in and put in 18.75 percent, and then the local government, the Limited Liability Corporation, and the recovery of the scrap metal should be able to provide adequate funding to do the debris cleanup.

Now for that to take place in FEMA's world, there has to be a declaration that says, this area is such that it's a public nuisance or a hazard. Therefore, we can come in and reimburse. Normally, we could not do that because of the for-profit venture. You had a number of aligning situations that just created this bureaucratic system. Right now, I'm very proud as I sit here, although it's taking some time, but I'm proud that we're able to bring all levels of government together to try and find a resolution here that probably would not normally take place in this instance with regards to the legislation that you're talking about, and I will close so Jim has an opportunity to talk about what's going on here.

I spent 32 years in the fire service, and I will tell you what you're proposing is a good thing—personal opinion. We have evacuation plans for high-occupancy residents. We talked about it. We have it for schools. What you're proposing isn't overly expensive. The tradeoff is, how do you pay for it? I think you heard about that earlier from the park owners. The balance will be, if you propose a legislation and it passes, the byproduct to that also is, it can spin off or enhance what's already taken place in other neighborhoods in that CERT—or whatever you want to call it. It's an extension of what is taking place or it will initiate it so it's a good thing, in my opinion. Thank you for your time.

**SENATOR CORREA:** Thank you, sir.

**MR. JIM FEATHERSTONE:** Good afternoon. Jim Featherstone, general manager of Emergency Management Department in the City of Los Angeles.

And just to real quickly dovetail on what a friend, Mr. Neveau, said, 22 years as a firefighter for the city of LA in prevention is a definite investment on the front end in the emergency environment. So things that happen upfront make a big difference at the back end. In fact, I think Senator Padilla, during his tenure on the city council, was around when we implemented the 200-foot defensible space. So prior to the Oakridge disaster, we had not lost a residential structure in the interface in the city of Los Angeles in almost ten years. A lot of that had to do with prevention in the form of defensible space and noncombustible roofing on homes. So the prevention, as a former firefighter, prevention makes a big, big difference in what you're able to do. I've been to the vacant lot, the house standing, the vacant lot, where prevention had played a big part in what happened.

But dealing with today's issues, I want to thank Senator Correa and Senator Padilla and Mr. Tennyson for this opportunity to speak and it's a very timely event. I'd like to start by speaking about the interaction between the governmental agencies. When you talk about unified command on the operational front, what we see here in the recovery effort here in the Oakridge situation, it is definitely a unified effort between state, county, and federal entities. Mark Neveau and Tom Maruyama have been tremendous partners, literally them and their designees, sitting side by side with city entities as we move forward in this process.

November 14: the fire consumed over 11,000 acres, destroyed over 480 homes out of the 608 in the Oakridge Mobilehome Park; 121 persons were unaffected by this fire in the immediate aftereffect. But the problem was that the debris and hazardous materials have affected everyone who lived in the Oakridge Mobilehome Park.

November 26: the state declared immediate threat to public health due to toxic materials being present in the burned debris on public and private property.

Moving forward on December 22, the county health officer declared, made a declaration, a public health hazard. This declaration stated, if left unabated, or if improperly handled, the debris would present a public health hazard which endangers public health and safety, especially with the wind dispersion and runoff of the hazardous materials in the park. Because of the potential hazard, this process of removing the debris has taken an increased importance. So this is significant because we had the local, the state, and the federal declarations within the decree by the county public health officers that this was now an immediate threat to public health. It was a more heightened effort. What compounded this effort early on was, this was unchartered ground. As Mr. Neveau talked about, we're dealing on private property with public health which we have certain statutory authority to go in and abate but there was a transfer of authority. The state had authority for the Oakridge Mobilehome Park.

On January 22, the city received authority from the state to actually go in and do the work. On the 27<sup>th</sup> of January, the city's Department of Building and Safety sent a notice to comply to the Oakridge property owners to remove all fire-related debris by February 6. In response, on January 30, the Oakridge property owners stated they would not be able to comply with the Department of Building and Safety's order due to lack of funds.

That triggered where we are now. It triggered a series of events where we are now in terms of debris removal plan, the site-specific plan, and the whole concept of operations at work. And just to compress this because of time, what we're looking at is an anticipated date to start the debris removal in...

**SENATOR CORREA:** I'm going to interrupt you real quick. My apologies, deep apologies. I just had a couple of quick questions I wanted to get in before we run out of time.

**MR. TENNYSON:** Mr. Featherstone, we appreciate your chronology and the cooperation of these agencies. It's a good thing to see this. I think the bottom line, though, at least for the folks that are here from Oakridge, is, "What is the schedule for starting the debris removal and when is this going to be completed?" What are we talking about, real quickly, in terms of a timeline?

**MR. FEATHERSTONE:** We're looking at early March. In fact, I think the last date I saw was a tentative date of March 2.

**MR. TENNYSON:** That it will start?

**MR. FEATHERSTONE:** Start.

**MR. TENNYSON:** And how long will that take?

**MR. FEATHERSTONE:** And we're looking at finishing it approximately early July.

**MR. TENNYSON:** Okay. Thank you.

And then a question for Mr. Neveau or Mr. Maruyama, I'm still not totally clear about why the Marek fire wasn't included in an emergency declaration, other

than the fact that the amount of the damages wasn't, or damage, was not per capita great enough. What can be done in the future? Is this going to be something that needs to be done in terms of changing federal regulations or state? You know, it's still not clear to me whether it was part of the request for the declaration or whether it was because of FEMA regs. But when you have a fire in the same county during these, you know, fall seasons in Southern California, this is nothing new—I lived there 30 years ago and they were having these problems. When you have these fires back to back, even if they're separated by three weeks or a month, as someone in the audience or someone who earlier testified, commented, why isn't there a provision to cumulate some of these fires?

It's not like you have two different fires that are separated by three months and one's in the northern part of the state and one's in the southern part of the state. How can we resolve this kind of problem so it doesn't happen again and people aren't, you know, sort of left out of the system?

**MR. NEVEAU:** Mr. Tennyson, a couple of comments.

First, with regards to debris on Oakridge, I just received a letter from the city today, as a matter of fact, and getting ready to sign that which authorizes the expenditure of funds. In that case, it takes six months. Under federal regulations, you have six months from the date of disaster to actually do the debris cleanup and that's one of the things that we're going to work on as far as trying to speed that and meet that timeline. That's one.

Number 2, with regards to the designation, presidential designation, it comes from the Stafford Act. It's congressional legislation and it determines it. From FEMA's standpoint, quite frankly what we'd like to do is get as much money out on the street as quickly as possible in any disaster. It doesn't serve us to hold funds. It's taxpayers' money in a disaster. If we can get that out, that creates recovery for not only the victims but also the community. The challenge becomes, "Where do you find that fine line between what is considered a local disaster or emergency and a federal disaster?" And it's defined right now based on the numbers that you see, and there's an inflation factor built in there. And that's kind of the—as you move through and you ask for that designation, you being the governor, it goes to the White House, and the White House will ultimately make the decision on whether to grant that based upon some of the standards that you saw in the dollar figures and per capita.

**MR. MARUYAMA:** Yes, real quick on the state side. There is a cumulative. The cumulative was what I talked about, the reimbursement of the \$4.5 million for local response cost. That's cumulative. For yearly, the FMAG is intended to not, to alleviate you having to go and declare an emergency through the president. And once again, because we don't have a local assistance program, we're not able to help the local folks. So they're all within the Emergency Services Act here in the state of California and under the Stafford Act at the federal level.

**SENATOR CORREA:** Seeing that we're essentially five minutes over, I want to thank everybody for attending.

Do you have two fingers for victory or one question—I'll give you 30 seconds, sir. Go ahead.

**MR. JOE KRUEGER:** My name is Joe Krueger. I reside in Irvine, California, and I was here mainly to learn, but I feel compelled to comment on SB 23. I head up an emergency response team and have for eight years. I have

considerable experience in industrial and military security, and I would like to caution you, Mr. Padilla.

I support your motion here but it may have unintended consequences. These mobilehome parks—and I've visited a number of them—are laid out very differently—they're unique. And if you don't put some sort of criteria on these plans, it may result in tragedies. These people who run the parks are not qualified in most cases to put the plans together.

The FEMA people in our case, Orange County Fire Authority and the City of Irvine, as well as city of Huntington Beach, Newport Beach, and so on, have done a magnificent job of training people. I have 75 volunteers in my emergency response team. It's taken five years to get there. If you don't have training and individual responsibility of the residents, nothing is going to work. I could go on at length and I'd be happy to...

**SENATOR CORREA:** Thank you very much. We'd like to have you submit your information in writing...

**MR. KRUEGER:** I'll be happy to do it.

**SENATOR CORREA:** ...for the record.

And also some of you whose questions we did not get to...

**MR. KRUEGER:** Thank you.

**SENATOR CORREA:** ...we will try to get those answered for you as quickly as possible.

Again, I thank all of you, the attendees, the panelists, a tremendous job. I, myself, came here asking or actually looking to find some answers to my questions, and I walk away with even more questions than when I walked in. Thank you very much, and let's continue to work on these most important issues. Thank you very much. (Applause)

**UNIDENTIFIED SPEAKER:** Thank you, Senator.

---oO---

STAFF SUMMARY

&

COMMENTS

## STAFF SUMMARY & COMMENTS

The Sylmar hearing elicited testimony on a number of wildfire related issues affecting mobilehome parks, most of which can be summarized as follows:

- Debris Clean-up: There was much discussion about governmental leadership of, a time table for, and the insurability of the debris cleanup in Oakridge Park. The City of Los Angeles, under Health and Safety Code Section 18307, is assuming jurisdiction of the park from HCD for purposes of the clean-up in order to get the ball rolling. FEMA will assume 75% of the cost, with the city and CalEMA taking up the slack for most of the balance. Private insurance coverage for debris removal will backfill a small portion. Cleanup is expected to begin in March and be completed by early July, after which residents will presumably begin the process of installing new or repairing surviving homes. Some information on the clean-up process for Oakridge appears in the Appendix to this report. One suggestion made at the hearing was for the Legislature to set up authorization for a standing Joint Powers Agreement (JPA) for future disasters so that a mechanism to handle clean-up and other issues could be established without the delay experienced in Oakridge. HCD officials contacted after the hearing by this committee indicated that the Oakridge clean-up was a funding, not enforcement, problem and that Section 18307 is sufficient to implement such authority without the need for a JPA.
- No Help for Marek Fire Victims: There was testimony about the fact that victims of the Sayre Fire will receive disaster assistance from FEMA and the state, but those burned out in the Marek fire, particularly in the Sky Terrace park, in the same area a month before, will not receive any disaster aid due to the fact the damages did not meet the minimum dollar standard of federal law. Various suggestions were made, including the idea of cumulating the fire damage in dollar terms from both fires, but this would probably require a change in federal law. Another idea mentioned was to make state emergency assistance available for homeowners in such cases, where FEMA minimums cannot be met, but due to the state's current fiscal "crisis" enactment of such individual state disaster assistance appears unlikely.
- Emergency Preparedness and Evacuation: Most parties agreed that better evacuation planning, preparedness, and training is desirable for mobilehome parks in the event of a disaster – due to their denser configurations. Concerns were voiced about confusion in some parks, where residents were told by police to leave too early in one case or only at the last minute in another. In one park, a rear gate to a public road was padlocked, preventing a more orderly evacuation. Managers in some parks were allegedly not available to assist the police or residents. But a park owner representative indicated that while he favored emergency preparedness and evacuation plans, he did not believe it was appropriate to single out parks alone for mandated plans or make park managers responsible for carrying them out. A private emergency response team consultant testified that a "one-shoe-fits all" approach to park evacuation plans could produce unintended consequences, particularly when administered by park

managers who are untrained for the most part. He did indicate emergency preparedness training should be required of park managers, at least as a first step. CalEMA has an

extensive Mobilehome Park Emergency Preparedness Plan, adopted in 1997, but it serves only as a guideline, and CalEMA has no information about how many parks use it. SB 23 (Padilla) will serve as the focal point to address these issues.

- Vegetation, Combustible Debris and Defensible Space: Concerns were voiced about the need to get a better handle on vegetation in and around mobilehome parks. There was testimony about burning palm fronds in one park igniting other vegetation and damaging some homes, and combustible vegetation and untrimmed pine trees just across the fence line on nearby property in another park augmenting the fire. Thousands of old tires, diesel trucks and other combustible materials were said to be stored on property adjacent to the Sky Terrace park, adding fuel to the firestorm that eventually burned much of the park. Enforcement appears somewhat convoluted. Local fire authorities have jurisdiction to deal with requiring that defensible space standards be met on adjoining properties outside parks, while HCD in most cases retains jurisdiction over trees and vegetation that constitute a health and safety issue inside parks, unless enforcement of Title 25 is delegated in total to a local agency, in which case the locals would have presumably greater authority over the vegetation issue. Local fire representatives suggested the idea of implementing fuel modification plans in mobilehome parks as has been done with conventional homes in wildfire prone areas, so that flammable vegetation cannot be planted or so it can be phased out around mobilehomes or in mobilehome park communities in high fire areas.
- Fire Hydrants and Water Pressure: There was some testimony about fire hydrants in mobilehome parks. One homeowner claimed that 85% of parks in California do not have hydrants and that in those parks with hydrants many do not work adequately. Another homeowner contended that in his park the hydrants are not to code because they do not have their own water line but are tied into the domestic water system for the park as a whole. As such, it was said water pressure is often inadequate if any part of the park's water system is compromised. Others questioned the maintenance reporting system for mobilehome park hydrants adopted several years ago by HCD. HCD responded that the record system for maintenance of fire hydrants is checked at the time a park renews its Permit to Operate (PTO) with the state. HCD officials contacted after the hearing also said that they do not keep statistics but the 85% figure for parks lacking hydrants mentioned above is too high and is probably more like 50%, and that the NFPA 24 code standard for installation of fire hydrants does not require separate water lines and connection to a public water system is acceptable.
- Fire Insurance: Many mobilehome owners have no insurance, and according to testimony at the hearing mobilehome owners with fire insurance normally have a cap of \$500 on debris removal coverage, hence the discussion above about the need to establish a cooperative effort among various federal, state and local agencies in spearheading and funding the debris removal effort at Oakridge. The

Department of Insurance has no statistics on how many mobilehome owners do or do not have fire insurance coverage, other than information after a specific fire. The representative from the Insurance Commissioner's office pointed out that the California FAIR plan is generally available to homeowners in high fire risk areas, as insurance of last resort, so to speak, where homeowners have been denied insurance at least three

times. Senator Padilla and the committee requested the Commissioner's office to follow-up on the question of whether mobilehome owners specifically qualify for FAIR, and the Commissioner's office later responded by e-mail that mobilehomes in designated urban wildfire zones would qualify without having to first be declined three times for coverage. The FAIR plan insures about 700 mobilehomes statewide and insured eight in Oakridge park. (See a copy of the e-mail response in the Appendix to this report.) In the meantime the committee will look further into the \$500 cap debris removal issue.

- Better Code Standards for Mobilehome Parks: Several witnesses suggested that better materials or more stringent code standards for manufactured homes and parks were needed, such as requiring new homes to be spaced further apart. Another suggested that in a park where a street of homes was separated from other homes or property with a concrete wall, a wall served as a buffer to protect homes from the spreading fire. At least one fire official commented that concrete walls can serve a useful purpose in resisting the spread of a fire in some cases. A third witness alluded to the existence of fire retardant materials, coatings or paint for homes – some of which were developed through NASA for the space program – as being little publicized (copy of this testimony is referenced in the Appendix to this report). The implication is that these strategies could serve as a cheaper alternative to the ignition resistant exterior components already mandated by HCD. The committee will continue to review this issue but at the time of printing has not received a full response from fire and other enforcement agencies on the viability of these materials or strategies. In the meantime, legislation has been introduced to address the affordability of retrofitting ignition resistant exterior components on existing mobilehomes (see last paragraph).
- Budget Problems: The issue of insufficient funding for code enforcement in parks was raised a number of times in several contexts. As mentioned above, the state's lack of resources makes the idea of enacting a program for emergency assistance for individual homeowners in smaller disasters such as Marek, where the floor in dollar damages for federal disaster assistance is not reached, unlikely in the near future. HCD has insufficient funding to enforce park health and safety requirements and is proposing fee increases but at the same time is eyeing a cut in staff, including possibly field inspectors. And willingness of local fire authorities to take on fire code enforcement in parks is partially couched in terms of lack of additional funding authority. These problems will not be easily resolved until the state's fiscal picture improves.
- Bureaucratic "Ping Pong": One witness claimed that homeowners or victims are "bounced" from one agency to the next when seeking assistance or answers, with none seeming to take responsibility. Although this may be an exaggeration of the

case, there appears to be a certain degree of confusion when it comes to health and safety and fire code enforcement in mobilehomes parks. Generally speaking, HCD has pre-emptive authority, but locals have some authority over land-use, zoning, and enforcement of conditional use permits. Fire authorities may or may not have limited authority over fire code issue depending on the status of the HCD inspection program, that is, whether a local government has taken on the entire inspection program or taken on only responsibility for fire code enforcement in ten issue areas, or whether HCD retains full

jurisdiction. Enactment of better codes is one thing but without adequate enforcement is fairly meaningless. When it comes to issues involving enforcement of fire code, there may be a more straightforward approach, such as allowing local fire authorities, who are responsible for putting out the fires, to enforce fire related issues in mobilehome parks across the board.

- Accessibility to Public Records on Park Inspections/Reports: Some mention was made of how park residents and the public can access public records on park inspections, fire hydrant, and other reports. This information is available through the Public Records Act, but unless a member of the public seeking a record goes to HCD headquarters where the records are stored or knows exactly what records he or she wants mailed to them without first looking through them, accessibility is not cut and dried. One suggestion at the hearing was that in this era of the Internet, there must be a better way this information could be posted and made available on an HCD or local agency website for public perusal and downloading.

Between the time of the February 6th hearing and the printing of this report, two additional bills other than SB 23 (Padilla), on mobilehome park emergency preparedness, have been introduced in the Legislature. SB 224 (Correa) authorizes the use of CalHome grants to help fund the cost of retrofitting newly mandated ignition resistant exterior components, like roofs or siding, for lower income mobilehome owners residing in parks in designated wildfire-prone zones. The bill comes about as the result of affordability concerns raised at the December 2nd (Part 1) hearing. Another bill, SB 398 (Correa), is a “spot” or placeholder bill that may be used to address some issues that arose from this hearing.

###

# APPENDIX