

CALIFORNIA STATE SENATE SELECT COMMITTEE ON MANUFACTURED HOME COMMUNITIES

2015-2016 LEGISLATIVE SESSION

Mobilehome Residency Law and related bills

Updated 2016 August 5

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

<p><a href="#"><u>AB 587</u></a> Chau</p>	<p><b>Mobilehomes: assessments: nonpayment or late payments</b> As amended 2016 Jun 30</p> <p>1) Creates a temporary tax abatement program for mobilehome owners who cannot transfer title into their names due to delinquent taxes and fees that incurred by prior owners. 2) Adds clarifying provisions to the rental agreement terms.</p>	<p>S/Appropriations Committee (Aug 11) S/Judiciary – Passed 6-1 S/Transp. &amp; Housing Cmte – Passed 10-0 A/Floor – Passed 78-0 A/Appropriations Cmte – Passed 17-0 A/Judiciary – Passed 10-0 A/Housing &amp; Community Devel. – Passed 7-0</p>
<p><a href="#"><u>AB 596</u></a> Daly</p>	<p><b>Common interest developments: annual budget report</b> Requires a CID’s annual budget report of a condominium project to include a separate statement describing the status, including any change, of the CID as a FHA- and VA-approved condo project.</p>	<p>Chapter #184 (Statutes of 2015)</p>
<p><a href="#"><u>AB 657</u></a> Achadjian</p>	<p><b>Property taxation: change in ownership reporting</b> Would have, in the case of probate, required the statement of change of property ownership that is subject to local property taxation, as specified.</p>	<p>Dead</p>
<p><a href="#"><u>AB 682</u></a> Williams</p>	<p><b>Electric and gas service: master-meter customers</b> Allows voluntary conversion of electric and natural gas master-meter service at mobilehome parks, as specified. Requires the state Dept. of Housing and Community Development to inspect alteration or conversion, as specified.</p>	<p>Chapter #581 (Statutes of 2015)</p>
<p><a href="#"><u>AB 697</u></a> Chu</p>	<p><b>Personal income tax: credits: senior citizen renters</b> Would have allowed, as specified, a tax credit in an amount equal to the increase of a qualified resident, in specified counties, who is defined as a senior citizen meeting certain low-income requirements.</p>	<p>Dead</p>
<p><a href="#"><u>AB 786</u></a> Levine</p>	<p><b>Common interest developments: property use and maintenance</b> Authorizes a homeowners association (HOA) to impose a fine or assessment against a homeowner of a separate interest that receives recycled water from a retail water supplier, as defined, and fails to use that recycled water for landscape irrigation.</p>	<p>Chapter #780 (Statutes of 2015)</p>
<p><a href="#"><u>AB 807</u></a> Stone</p>	<p><b>Real estate transfer fees: recorded documents</b> As it relates to ROPs that are CIDs, requires changes in how property transfer fees are calculated and recorded.</p>	<p>Chapter #634 (Statutes of 2015)</p>

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

<p><a href="#"><u>AB 1736</u></a> Steinorth</p>	<p><b>Personal income taxes: deduction: homeownership savings accounts</b> As amended 2016 May 12</p> <p>Would create a homeownership savings account (HSA), with specifications, which includes “mobilehome” in the definition of principal residence.</p>	<p>A/Appropriations Committee A/Revenue &amp; Taxation – Passed 9-0 A/Housing &amp; Comm. Dev – Passed 7-0</p>
<p><a href="#"><u>AB 1799</u></a> Mayes</p>	<p><b>Common interest developments: association governance: elections</b> As amended 2016 Jun 6</p> <p>Would exempt from election requirements an election of directors if election is uncontested, as defined.</p>	<p>S/Judiciary S/Transp. &amp; Housing – Passed 6-2 A/Floor – Passed 71-4 A/Housing &amp; Community Dev. – Passed 7-0</p>
<p><a href="#"><u>AB 2085</u></a> Irwin</p>	<p><b>Military and veterans: legal aid</b> As amended 2016 May 31</p> <p>Would, with specifications, create the Office of Military Legal Assistance as specified, which would facilitate the delivery of legal assistance programs to current and former military personnel in the state.</p>	<p>S/Appropriations (Aug 11) S/Judiciary – Passed 7-0 S/Veterans Affairs – Passed 5-0 A/Floor – Passed 77-0 A/Appropriations – Passed 20-0 A/Veterans Affairs Cmte – Passed 9-0</p>
<p><a href="#"><u>AB 2351</u></a> R.Hernandez</p>	<p><b>Mobilehome parks: rent control</b> As amended 2016 Apr 18</p> <p>Would repeal Civil Code 798.17, deleting the exemption from local rent control for rental agreements longer than 12 months.</p>	<p>A/Housing &amp; Community Devel. – Failed. Reconsideration granted.</p>
<p><a href="#"><u>AB 2362</u></a> Chu</p>	<p><b>Common interest developments: pesticide application</b> As amended 2016 May 2</p> <p>Would require a CID to provide notice, with specifications, to an owner or tenant of a separate interest, under certain circumstances, if pesticide is to be applied without a licensed pest control operator, as specified.</p>	<p>S/Floor S/Judiciary Committee – Passed 7-0 A/Floor – Passed 76-0 A/Judiciary Committee – Passed 9-0 A/Environ. Safety &amp; Toxic – Passed 5-1</p>

<p><a href="#">AB 2675</a> Chiu</p>	<p><b>Sales and use tax exclusion: income taxes credits: electric vehicle infrastructure</b> As amended 2016 May 2</p> <p>Would allow an annual tax credit for the purchase of an electric vehicle infrastructure for use at a qualified dwelling, which includes a mobilehome park.</p>	<p>A/Appropriations – Suspense File A/Revenue and Taxation – Passed 9-0</p>
<p><a href="#">AB 2881</a> Cmte on Judiciary</p>	<p><b>Mobilehome park residents: short-term rental notice</b> As amended 2016 Aug 1 This bill no longer affects MHPs. A recent amendment deleted the following provision: Would require mobilehome park residents, who list their homes for short-term tenancy on hosting platforms (i.e., airbnb.com), to refer to their rental or lease contract for restrictions that would limit such listings.</p>	
<p><a href="#">SB 244</a> Vidak</p>	<p><b>Mobilehome: injunctions</b> Removes the sunset provision on MRL’s Civil Code 798.88.</p>	<p>Chapter #176 (Statutes of 2015)</p>
<p><a href="#">SB 290</a> Vidak</p>	<p><b>Common interest developments: assessment collection: foreclosure: notice</b> Would have allowed the CID board to serve notice of foreclosure of a lien for delinquent assessments to an owner’s representative, as provided.</p>	<p>Dead</p>
<p><a href="#">SB 419</a> McGuire</p>	<p><b>Mobilehomes: homeowners: sale</b> Authorizes a seller to display one sign of a generally accepted type design, as specified; allow park to establish reasonable rules governing conduct of open houses; requires management, upon written request, to provide to the seller, in writing, the info and standards management will use to review a prospective homeowner.</p>	<p>Chapter #288 (Statutes of 2015)</p>
<p><a href="#">SB 434</a> Allen</p>	<p><b>Manufactured housing: vehicle license fee: property taxation</b> As amended 2015 May 20</p> <p>Would require the assessor to transfer a manufactured home from the vehicle license fee to local property where the assessor finds that the MH has been rebuilt to the substantial equivalent of a new residential structure, as specified; and would restructure the tax valuation, as specified.</p>	<p>A/Housing &amp; Comm. Devel. Committee S/Floor – Passed 38-0 S/Governance &amp; Finance Cmte – Passed 6-0 S/Trans. &amp; Housing Cmte – Passed 9-0</p>

<p><a href="#"><u>SB 477</u></a> Leyva</p>	<p><b>Property tax postponement: mobilehomes and floating homes</b> As amended 2015 Aug 18</p> <p>Would authorize a qualified owner of a mobilehome to seek postponement of taxes, as specified, under provisions similar to other owners of real property.</p>	<p>A/Appropriations – Held A/Revenue &amp; Taxation – Passed 9-0 A/Local Government Cmte – Passed 7-0 S/Floor – Passed 40-0 S/Appropriations Committee – Passed 7-0 S/Governance &amp; Finance Cmte – Passed 7-0</p>
<p><a href="#"><u>SB 552</u></a> Wolk</p>	<p><b>Public water systems: disadvantaged communities: consolidation or extension of service</b> As amended 2016 Aug 1</p> <p>Would allow a community within a mobilehome park to be qualified as a “disadvantaged community”, for the purpose of receiving adequate supply of safe drinking water, under the California Safe Drinking Water Act, with specifications, including available funding.</p>	<p>A/Appropriations Committee (Aug 11) A/Water, Parks &amp; Wildlife – Passed 10-5 A/Envir. Safety &amp; Toxic Mat. – Passed 4-2 S/Floor – Passed 31-5 S/Appropriations – Passed 5-0 S/Environmental Quality – Passed 6-0</p>
<p><a href="#"><u>SB 587</u></a> Stone</p>	<p><b>Property taxation: inflation factor: senior citizens</b> As amended 2016 Aug 4</p> <p>Would cap property tax assessment for senior citizens (65+) who meet income requirements, as specified, including owners of manufactured homes.</p>	<p>A/Appropriations (Aug 10) A/Revenue &amp; Taxation – Passed 8-0 A/Rules Committee – Passed 11-0</p>
<p><a href="#"><u>SB 690</u></a> Stone</p>	<p><b>Property tax: senior and disabled veterans</b> As amended 2016 Aug 4</p> <p>Would cap property tax assessment for senior disabled veterans (65+) who meet income requirements, as specified, including owners of manufactured homes.</p>	<p>A/Appropriations (Aug 10) A/Revenue &amp; Taxation – Passed 8-0 A/Rules Committee – Passed 11-0</p>
<p><a href="#"><u>SB 801</u></a> Cmte on Governance and Finance</p>	<p><b>Property tax postponement</b> Removes references regarding the eligibility of mobilehome properties to participate in the Property Tax Postponement program, but adds references specifying that co-op properties are eligible.</p>	<p>Chapter #391 (Statutes of 2015)</p>

<p><a href="#">SB 803</a> Cmte on Gov. &amp; Finance</p>	<p><b>Property taxation</b> Under tax law, deems that a change in pro rata ownership interest in a mobilehome park (i.e. ROP) not be considered a change in ownership, as specified.</p>	<p>Chapter #454 (Statutes of 2015)</p>
<p><a href="#">SB 918</a> Vidak</p>	<p><b>Common interest developments</b> As amended 2016 Jun 16</p> <p>Would require owners of separate interests in the CID to annually provide to the association specified information for the purpose of receiving notice from the association.</p>	<p>A/Floor A/Housing &amp; Community Dev. – Passed 7-0 S/Floor – Passed 37-0 S/Judiciary Committee – Passed 6-0</p>
<p><a href="#">SB 944</a> Cmte on Transp. &amp; Housing</p>	<p><b>Omnibus bill</b> As amended 2016 Aug 1</p> <p>Non-controversial changes would 1) change the time in which management of a MHP must file a notice of disposal with HCD from 10 to 30 days after the date of sale; 2) require, as specified, mobilehome parks to meet the standards for “housing for older persons” contained in the federal Fair Housing Act; and 3) require the management to file a notice of intent to apply to have a mobilehome designated for disposal with the tax collector.</p>	<p>A/Floor – Consent Calendar A/Appropriations Committee – Passed 20-0 A/Judiciary- Passed 10-0 A/Housing &amp; Community Devel. (Jun 15) S/Floor – Passed 37-0 S/Appropriations Cmte – Passed 7-0 S/Transp. &amp; Housing Cmte – Passed 10-0</p>
<p><a href="#">SB 1092</a> Monning</p>	<p><b>Advertising: internet private residence rental listings: notice</b> Requires the offerer of accommodations to review their homeowners’ or renters’ insurance policy for any restrictions on coverage related to short-term rental activities, as specified.</p>	<p>Chapter #113 (Statutes of 2016)</p>
<p><a href="#">SB 1106</a> Leyva</p>	<p><b>Mobilehome parks: code enforcement</b> As amended 2016 June 13 Recent amendments no longer affect Mobilehome Parks Act.</p>	
<p><a href="#">SB 1126</a> Stone</p>	<p><b>Property taxation: inflation factor: senior citizens</b> As amended 2016 May 4</p> <p>Would provide that the annual inflation rate factored into real property taxes does not apply to a person who owns a manufactured home.</p>	<p>S/Appropriations - Suspense S/Governance &amp; Finance – Passed 7-0</p>