

AMENDED IN ASSEMBLY MAY 15, 2002

AMENDED IN ASSEMBLY APRIL 1, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2079**

**Introduced by Assembly Member Jackson**  
*(Coauthor: Senator Romero)*

February 19, 2002

An act to amend Sections 798.8 and ~~798.30~~ 798.18 of the Civil Code, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

AB 2079, as amended, Jackson. Mobilehomes: new tenancies: rent increases.

~~Existing law, the Mobilehome Residency Law, requires management to give a homeowner in a mobilehome park written notice of any increase in his or her rent at least 90 days before the date of the increase. Existing law requires an escrow, sale, or transfer agreement involving a mobilehome located in a park at the time of the sale, where the mobilehome is to remain in the park, to contain a copy of either a fully executed rental agreement or a statement signed by the park's management and the prospective homeowner that they have agreed to the terms and conditions of a rental agreement. Existing law defines rental agreement for the purposes of the Mobilehome Residency Law. Existing law prohibits a rental agreement from containing any terms or conditions with respect to rent, utilities, or incidental service charges that are different during the first 12 months of the rental agreement from~~



*corresponding terms or conditions offered to homeowners on a month-to-month basis.*

This bill would require rental agreements offered to prospective homeowners to conform to the requirements for rental agreements offered to homeowners. ~~The, except that the bill would prohibit the management of a mobilehome park, upon the commencement of a new tenancy following the sale of a mobilehome to remain in the park, from increasing the space rent if the rent on that space has been increased by management within the preceding 12 months permit the management, notwithstanding the limitations on a rental agreement described above, to offer a rental agreement on a vacant site in excess of 12 months that includes lower rents during the first 12 months or other incentives to rent.~~

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

1 SECTION 1. Section 798.8 of the Civil Code is amended to  
2 read:

3 798.8. "Rental agreement" is an agreement between the  
4 management and the homeowner establishing the terms and  
5 conditions of a park tenancy. A lease is a rental agreement. Rental  
6 agreements offered to prospective homeowners shall conform to  
7 the requirements for rental agreements offered to homeowners of  
8 Section 798.18.

9 ~~SEC. 2. Section 798.30 of the Civil Code is amended to read:~~

10 ~~798.30. (a) The management shall give a homeowner written~~  
11 ~~notice of any increase in his or her rent at least 90 days before the~~  
12 ~~date of the increase.~~

13 ~~(b) Upon the commencement of a new tenancy following the~~  
14 ~~sale of a mobilehome to remain in the park, the management may~~  
15 ~~not increase the space rent if the rent on that space has been~~  
16 ~~increased by management within the preceding 12 months.~~

17 *SEC. 2. Section 798.18 of the Civil Code is amended to read:*

18 798.18. (a) A homeowner shall be offered a rental agreement  
19 for (1) a term of 12 months, or (2) a lesser period as the homeowner  
20 may request, or (3) a longer period as mutually agreed upon by  
21 both the homeowner and management.



1 (b) ~~No~~ (1) *Except as provided in paragraph (2), a rental*  
2 *agreement shall may not* contain any terms or conditions with  
3 respect to charges for rent, utilities, or incidental reasonable  
4 service charges that would be different during the first 12 months  
5 of the rental agreement from the corresponding terms or  
6 conditions that would be offered to the homeowners on a  
7 month-to-month basis.

8 (2) *The management may offer a rental agreement on a vacant*  
9 *site in excess of 12 months that includes lower rents during the first*  
10 *12 months or other incentives to rent.*

11 (c) ~~No~~ A rental agreement for a term of 12 months or less ~~shall~~  
12 *may not* include any provision ~~which~~ *that* authorizes automatic  
13 extension or renewal of, or automatically extends or renews, the  
14 rental agreement beyond the initial term for a term longer than 12  
15 months at the sole option of either the management or the  
16 homeowner.

