

**Introduced by Senators Dunn, Chesbro, and Sher**

(Coauthors: Assembly Members Alquist, Aroner, Cardenas, Diaz, Havice, and Thomson)

January 24, 2001

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An act to amend Sections 18151, 18152, 18153, and 18253.5 of the Health and Safety Code, relating to mobilehomes, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 122, as introduced, Dunn. Mobilehomes: ombudsman.

Existing law establishes the position of Mobilehome Ombudsman within the Department of Housing and Community Development and requires the ombudsman to, among other things, refer any alleged violations of law or regulations within the department's jurisdiction to the Division of Codes and Standards.

This bill instead would require the ombudsman to provide assistance to complainants with any alleged violations of law or regulations within the department's jurisdiction that would be referred to the division, and would also require the ombudsman to, among other things, establish and publicize a toll-free complaint telephone number and submit annual written reports to the appropriate committees of the Legislature regarding the number of calls and complaints. The bill would appropriate an unspecified amount from the General Fund to the department to support the functions of the Mobilehome Ombudsman.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. Section 18151 of the Health and Safety Code is  
2 amended to read:

3 18151. (a) The position of mobilehome ombudsman is  
4 hereby established in the ~~Department of Housing and Community~~  
5 ~~Development~~ *department*.

6 (b) Except as provided in subdivision (c), the ombudsman shall  
7 provide assistance in taking complaints, and helping to resolve and  
8 coordinate the resolution of those complaints, from the public  
9 relating to manufactured homes and mobilehomes, including, but  
10 not limited to, problems of titling and registration, installation,  
11 warranties, financing, other than financing by a supervised  
12 financial organization, as defined in Section 1801.6 of the Civil  
13 Code, sales, inspection of homes and parks, mobilehome  
14 accessories and improvements, *including support or foundation*  
15 *systems and earthquake resistant bracing systems, problems*  
16 *relating to the conversion of parks to a form of resident ownership*  
17 *and the department's Mobilehome Park Resident Ownership*  
18 *Program*, and problems relating to the Mobilehome Residency  
19 Law (Chapter 2.5 (commencing with Section 798) of Title 2 of  
20 Part 2 of Division 2 of the Civil Code).

21 (c) The ombudsman shall not arbitrate, mediate, negotiate, or  
22 provide legal advice on mobilehome park rent disputes, lease or  
23 rental agreements, or disputes arising from lease or rental  
24 agreements, but may provide information on these issues.

25 (d) The ombudsman shall ~~refer~~ *provide assistance to a*  
26 *complainant with any alleged violations of law or regulations*  
27 *within the —Department of Housing and Community*  
28 *Development's department's jurisdiction that would be referred to*  
29 *the Division of Codes and Standards within the —Department of*  
30 *Housing and Community Development department.*

31 SEC. 2. Section 18152 of the Health and Safety Code is  
32 amended to read:

33 18152. The Governor shall designate a deputy director in the  
34 ~~Department of Housing and Community Development~~  
35 *department* to serve as the Mobilehome Ombudsman.

36 SEC. 3. Section 18153 of the Health and Safety Code is  
37 amended to read:



1 18153. (a) The Mobilehome Ombudsman shall establish  
2 procedures to deal with complaints, including the publication of  
3 complaint forms and written materials which shall be made  
4 available to the public informing them of the functions of the  
5 Mobilehome Ombudsman and providing information on  
6 manufactured homes and mobilehomes. ~~The~~ *The ombudsman*  
7 *shall establish and publicize a toll-free complaint telephone*  
8 *number.*

9 (b) *The Mobilehome Ombudsman shall designate two or more*  
10 *staff persons who shall perform only the functions of the*  
11 *ombudsman's office, including but not limited to, conducting*  
12 *outreach programs in manufactured home communities and*  
13 *mobilehome parks, taking complaints and calls, reviewing*  
14 *correspondence, providing information, and following through*  
15 *with complaints on complaint resolution. The ombudsman shall*  
16 *make it a priority for staff to act as intermediaries in the*  
17 *investigation and follow up inquiries and complaints, rather than*  
18 *simply referring complainants to other governmental offices or*  
19 *agencies.*

20 (c) *The ombudsman shall work with, and coordinate his or her*  
21 *efforts with, other divisions and sections of the department and*  
22 *with other agencies of state and local government.*

23 (d) *The Mobilehome Ombudsman shall submit a written report*  
24 *to the appropriate committees of the Legislature, including the*  
25 *Assembly Committee on Housing and Community Development,*  
26 *the Senate Committee on Housing and Community Development,*  
27 *and the Senate Select Committee on Mobile and Manufactured*  
28 *Homes, on the annual number of calls and complaints received by*  
29 *the ombudsman by category, including the number of complaints*  
30 *resolved and remaining unresolved by category, by December 31*  
31 *of each year.*

32 SEC. 4. Section 18253.5 of the Health and Safety Code is  
33 amended to read:

34 18253.5. (a) The department shall provide to each  
35 mobilehome park licensed to operate under this part a sign in large  
36 boldface print, with the name, address, and telephone number of  
37 the mobilehome ombudsman designated under Chapter 9  
38 (commencing with Section 18150) of Part 2. The sign shall be  
39 posted by the management in *a conspicuous place in the*



1 mobilehome park clubhouse or, *if there is no clubhouse*, in another  
2 conspicuous public place within the mobilehome park.

3 (b) ~~(4)~~ The enforcement of the posting of the ombudsman sign  
4 required by subdivision (a) may be accomplished by telephonic or  
5 written communication, or by site inspection in response to a  
6 specific complaint concerning the posting of the sign, by site  
7 inspection in response to a combination of complaints concerning  
8 the posting of the sign and other alleged code violations, or  
9 pursuant to the mobilehome park inspection program set forth in  
10 Section 18400.1.

11 ~~(2) This section does not require that enforcement of its~~  
12 ~~provisions be accomplished by site inspection of every~~  
13 ~~mobilehome park, or reissuance of a new ombudsman sign to~~  
14 ~~every mobilehome park in the enforcement agency's jurisdiction~~  
15 ~~to ensure that the ombudsman signs required by this section are~~  
16 ~~posted.~~

17 (c) Notwithstanding any other provision of this part, a violation  
18 of this section is an infraction.

19 SEC. 5. The sum of \_\_\_\_dollars (\$\_\_\_\_) is appropriated from  
20 the General Fund to the Department of Housing and Community  
21 Development to support the functions of the Mobilehome  
22 Ombudsman pursuant to Chapter 9 (commencing with Section  
23 18150) of Part 2 of Division 13 of the Health and Safety Code.

