

AMENDED IN ASSEMBLY JUNE 30, 2001

AMENDED IN SENATE MARCH 29, 2001

SENATE BILL

No. 339

Introduced by Senator Dunn

February 20, 2001

An act to amend Section 18610.5 of, and to add Sections 18407 and 18408 to, the Health and Safety Code, relating to mobilehome parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 339, as amended, Dunn. Mobilehome parks.

(1) The existing Mobilehome Parks Act requires local enforcement agencies to enter and inspect all mobilehome parks at least once every 7 years and pursuant to complaints regarding serious health and safety violations of the park. It requires advance notice of the inspection to the owners of the manufactured homes or mobilehomes, or occupants thereof, if different, and to the owner or operator of the mobilehome park.

This bill would require, upon a complaint about a violation of the act to the enforcement agency, an inspector or representative of the enforcement agency to notify the complainant, in advance, of the date of any scheduled investigation. Following the inspection, an inspector or representative would be required to contact the complainant with the findings of the inspector concerning the complaint.

The bill would also require the enforcement agency to inspect a mobilehome or manufactured home, upon request, in the event of a dispute between a mobilehome owner and a mobilehome park operator concerning compliance of the mobilehome or manufactured home with specified health and safety standards.

(2) The act prohibits the creation, movement, shifting, or alteration of mobilehome park lot lines without written authorization of the local planning agency and the occupant or occupants, if any, of the mobilehome space or spaces on which the lot line will be affected. Any person who willfully violates a provision of the act, including its related rules and regulations, is guilty of a misdemeanor.

This bill would prohibit instead the creation, movement, shifting, or alteration of the lot lines without a permit issued by the enforcement agency and the written authorization or consent of the occupant or occupants, if any, of the mobilehome space or spaces on which the lot line will be affected. It would authorize the enforcement agency to require submission of a detailed plot plan of all lots and the dimensions of each lot affected by the creation of, or change in, lot lines. By expanding the definition of a crime, this bill would impose a state-mandated local program.

(3) 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:

1 SECTION 1. Section 18407 is added to the Health and Safety
2 Code, to read:

3 18407. Upon a complaint about a violation of this part to the
4 enforcement agency, an inspector or representative of the
5 enforcement agency shall notify the complainant in advance in
6 writing ~~or by phone~~ of the date when he or she is scheduled to
7 investigate the complaint to enable the complainant to be present
8 to speak to the inspector. Following an inspection of the complaint,
9 an inspector or representative of the enforcement agency shall
10 contact the complainant in writing ~~or by phone~~ to advise the
11 complainant of the findings of the inspector concerning the
12 complaint.

13 SEC. 2. Section 18408 is added to the Health and Safety Code,
14 to read:



1 18408. In the event of a dispute between a mobilehome owner
2 and a mobilehome park operator concerning compliance of the
3 homeowner’s manufactured home or mobilehome with health and
4 safety standards pursuant to Section 798.73 of the Civil Code, the
5 enforcement agency shall, upon the request of the homeowner or
6 the park operator, inspect the mobilehome or manufactured home.

7 SEC. 3. Section 18610.5 of the Health and Safety Code is
8 amended to read:

9 18610.5. (a) No mobilehome park lot line shall be created,
10 moved, shifted, or altered without a permit issued to the park
11 owner or operator by the enforcement agency.

12 (b) No mobilehome park lot line shall be created, moved,
13 shifted, or altered without the written authorization or consent of
14 the occupant or occupants, if any, of the mobilehome space or
15 spaces on which the lot line will be created, moved, shifted, or
16 altered.

17 (c) No mobilehome park lot line shall be created, moved,
18 shifted, or altered, if the action will place an occupant of a
19 mobilehome space or lot in violation of any mobilehome
20 separation or space requirements under this part or under any
21 administrative regulation.

22 (d) When a mobilehome park lot line is proposed to be created,
23 moved, shifted, or altered, the enforcement agency may require a
24 mobilehome park owner or operator to submit to the enforcement
25 agency a detailed plot plan of all lots and the dimensions of each
26 lot affected by the creation of, or change in, lot lines.

27 SEC. 4. No reimbursement is required by this act pursuant to
28 Section 6 of Article XIII B of the California Constitution because
29 the only costs that may be incurred by a local agency or school
30 district will be incurred because this act creates a new crime or
31 infraction, eliminates a crime or infraction, or changes the penalty
32 for a crime or infraction, within the meaning of Section 17556 of
33 the Government Code, or changes the definition of a crime within
34 the meaning of Section 6 of Article XIII B of the California
35 Constitution.

