

AMENDED IN SENATE JULY 23, 2009

AMENDED IN SENATE JUNE 30, 2009

AMENDED IN ASSEMBLY APRIL 27, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 566

**Introduced by Assembly Member Nava
(Principal coauthor: Assembly Member Furutani)**

February 25, 2009

An act to amend Section 66427.5 of the Government Code, relating to mobilehome parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 566, as amended, Nava. Mobilehome parks: conversion.

The Subdivision Map Act requires a subdivider, at the time of filing a tentative or parcel map for a subdivision to be created from the conversion of a mobilehome park to resident ownership, to avoid the economic displacement of nonpurchasing residents by obtaining a survey of support of residents of the mobilehome park for the proposed conversion, among other things. The subdivider is required to be subject to a hearing by a legislative body or advisory agency, the scope of which is limited to the issue of compliance with the requirement of conducting a survey and avoiding economic displacement of nonpurchasing residents.

This bill would authorize a legislative body or advisory body, in deciding whether to approve, conditionally approve, or disapprove a map, to ~~additionally~~ consider, in that hearing, whether the survey demonstrates that the majority of residents support the conversion.

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 66427.5 of the Government Code is
2 amended to read:
3 66427.5. At the time of filing a tentative or parcel map for a
4 subdivision to be created from the conversion of a rental
5 mobilehome park to resident ownership, the subdivider shall avoid
6 the economic displacement of all nonpurchasing residents in the
7 following manner:
8 (a) The subdivider shall offer each existing tenant an option to
9 either purchase his or her condominium or subdivided unit, which
10 is to be created by the conversion of the park to resident ownership,
11 or to continue residency as a tenant.
12 (b) The subdivider shall file a report on the impact of the
13 conversion upon residents of the mobilehome park to be converted
14 to resident-owned subdivided interest.
15 (c) The subdivider shall make a copy of the report available to
16 each resident of the mobilehome park at least 15 days prior to the
17 hearing on the map by the advisory agency or, if there is no
18 advisory agency, by the legislative body.
19 (d) (1) The subdivider shall obtain a survey of support of the
20 residents of the mobilehome park for the proposed conversion.
21 (2) The survey of support shall be conducted in accordance with
22 an agreement between the subdivider and a resident homeowners'
23 association, if any, that is independent of the subdivider or
24 mobilehome park owner.
25 (3) The survey shall be obtained pursuant to a written ballot.
26 (4) The survey shall be conducted so that each occupied
27 mobilehome space has one vote.
28 (5) The results of the survey shall be submitted to the local
29 agency upon the filing of the tentative or parcel map, to be
30 considered as part of the subdivision map hearing prescribed by
31 subdivision (e).
32 (e) The subdivider shall be subject to a hearing by a legislative
33 body or advisory agency, which is authorized by local ordinance
34 to approve, conditionally approve, or disapprove the map. The
35 scope of the hearing shall be limited to the issue of compliance

1 with this section. In deciding whether to approve, conditionally
2 approve, or disapprove a map pursuant to this section, the
3 legislative body or advisory agency may ~~additionally~~ consider, in
4 that hearing, whether the survey required by subdivision (d)
5 demonstrates that the majority of residents support the conversion.

6 (f) The subdivider shall be required to avoid the economic
7 displacement of all nonpurchasing residents in accordance with
8 the following:

9 (1) As to nonpurchasing residents who are not lower income
10 households, as defined in Section 50079.5 of the Health and Safety
11 Code, the monthly rent, including any applicable fees or charges
12 for use of any preconversion amenities, may increase from the
13 preconversion rent to market levels, as defined in an appraisal
14 conducted in accordance with nationally recognized professional
15 appraisal standards, in equal annual increases over a four-year
16 period.

17 (2) As to nonpurchasing residents who are lower income
18 households, as defined in Section 50079.5 of the Health and Safety
19 Code, the monthly rent, including any applicable fees or charges
20 for use of any preconversion amenities, may increase from the
21 preconversion rent by an amount equal to the average monthly
22 increase in rent in the four years immediately preceding the
23 conversion, except that in no event shall the monthly rent be
24 increased by an amount greater than the average monthly
25 percentage increase in the Consumer Price Index for the most
26 recently reported period.