

AMENDED IN SENATE MAY 12, 2010  
AMENDED IN SENATE APRIL 15, 2010

**SENATE BILL**

**No. 1047**

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**Introduced by Senator Correa**

February 16, 2010

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An act to amend ~~Sections 798.4, 799, and~~ *Section 799.1* of the Civil Code, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

SB 1047, as amended, Correa. Mobilehomes: nonprofit resident-owned mobilehome park.

The Mobilehome Residency Law governs the terms and conditions of tenancies in mobilehome parks and defines a mobilehome park for purposes of these provisions. The law also sets forth separate provisions that govern, and are only applicable to, the rights of a resident who has an ownership interest in a subdivision, cooperative, or condominium for mobilehomes or a resident-owned mobilehome park in which the resident's mobilehome is located or installed.

~~This bill would revise the latter provisions described above to exclude a nonprofit resident-owned mobilehome park from the scope of those provisions~~ *provide that specified provisions of the Mobilehome Residency Law govern the right of members of a certain nonprofit mutual benefit corporations who are residents who have a rental agreement with the corporation.*

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 798.4 of the Civil Code is amended to  
2 read:

3 798.4. “Mobilehome park” is an area of land where two or  
4 more mobilehome sites are rented, or held out for rent, to  
5 accommodate mobilehomes used for human habitation and includes  
6 a nonprofit resident-owned mobilehome park, as defined in  
7 subdivision (a) of Section 799, where the member leases his or  
8 her space.

9 SEC. 2. Section 799 of the Civil Code is amended to read:

10 799. As used in this article:

11 (a) “Nonprofit resident-owned mobilehome park” means a  
12 mobilehome park owned and operated by a nonprofit mutual  
13 benefit corporation, established pursuant to Section 11010.8 of the  
14 Business and Professions Code, whose members consist of park  
15 residents where there is no recorded condominium plan, tract,  
16 parcel map, or declaration.

17 (b) “Ownership or management” means the ownership or  
18 management of a subdivision, cooperative, or condominium for  
19 mobilehomes, or of a resident-owned mobilehome park that does  
20 not fall under the definition provided in subdivision (a).

21 (c) “Resident” means a person who maintains a residence in a  
22 subdivision, cooperative, or condominium for mobilehomes, or a  
23 resident-owned mobilehome park that does not fall under the  
24 definition provided in subdivision (a).

25 (d) (1) “Resident-owned mobilehome park” means any entity  
26 through which the residents have an ownership interest in the  
27 mobilehome park except as provided in paragraph (2).

28 (2) A “resident-owned mobilehome park” does not include either  
29 of the following:

30 (A) A subdivision, cooperative, or condominium for  
31 mobilehomes.

32 (B) A nonprofit resident-owned mobilehome park.

33 SEC. 3.

34 SECTION 1. Section 799.1 of the Civil Code is amended to  
35 read:

36 799.1. ~~This~~ (a) Except as provided in subdivision (b), this  
37 article shall govern the rights of a resident who has an ownership  
38 interest in the subdivision, cooperative, or condominium for

1 mobilehomes, or a resident-owned mobilehome park in which his  
2 or her mobilehome is located or installed. ~~This article shall not~~  
3 ~~apply to a nonprofit resident-owned mobilehome park.~~ In a  
4 subdivision, cooperative, or condominium for mobilehomes, or a  
5 resident-owned mobilehome park, Articles 1 (commencing with  
6 Section 798) ~~to through Article 8 (commencing with Section~~  
7 ~~798.84), inclusive,~~ shall apply only to a resident who does not have  
8 an ownership interest in the subdivision, cooperative, or  
9 condominium for mobilehomes, or the resident-owned mobilehome  
10 park, in which his or her mobilehome is located or installed.  
11 ~~Articles 1 (commencing with Section 798) to 8 (commencing with~~  
12 ~~Section 798.84), inclusive, shall also apply to nonprofit~~  
13 ~~resident-owned mobilehome parks.~~

14 *(b) Notwithstanding subdivision (a), in a mobilehome park*  
15 *owned and operated by a nonprofit mutual benefit corporation,*  
16 *established pursuant to Section 11010.8 of the Business and*  
17 *Professions Code, whose members consist of park residents where*  
18 *there is no recorded condominium plan, tract, parcel map, or*  
19 *declaration, Article 1 (commencing with Section 798) through*  
20 *Article 8 (commencing with Section 798.84) shall govern the rights*  
21 *of members who are residents that have a rental agreement with*  
22 *the corporation.*