

AMENDED IN SENATE JUNE 24, 2015

AMENDED IN SENATE JUNE 15, 2015

AMENDED IN ASSEMBLY APRIL 20, 2015

AMENDED IN ASSEMBLY APRIL 7, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 999

Introduced by Assembly Member Daly

February 26, 2015

An act to amend Sections 798.56a and 798.61 of the Civil Code, *and to amend Section 18080.5 of the Health and Safety Code*, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

AB 999, as amended, Daly. ~~Mobilehomes: salvage and disposal.~~
Mobilehomes: disposal.

The Mobilehome Residency Law governs tenancies in mobilehome parks and, among other things, authorizes the management of a mobilehome park, under specified circumstances, to either remove the mobilehome from the premises and place it in storage or store the mobilehome on its site. Existing law provides the management with a warehouse lien for these costs and imposes various duties on the management to enforce this lien. Existing law also imposes various duties on the management of a mobilehome park when seeking to sell an abandoned mobilehome and its contents. Existing law requires a court to enter a judgment of abandonment if the criteria for abandonment has been satisfied and no party establishes an interest in the mobilehome at the hearing. Existing law requires the management, under certain

circumstances, to obtain a tax clearance certificate from the county tax collector of the county in which the mobilehome is located when selling an abandoned mobilehome.

This bill would amend the Mobilehome Residency Law to, among other things, authorize the management to enforce a warehouse lien and ~~declare to designate~~ a mobilehome as salvage for disposal without requiring the management or other person enforcing the lien to *pay past or current vehicle license fees* or obtain a tax clearance certificate. The bill would require a court to enter a judgment of abandonment if, instead, the criteria for abandonment has been satisfied and no party establishes an interest in the mobilehome and tenders all past due rent and other charges. The bill would authorize a procedure for the management of a mobilehome park to dispose of an abandoned mobilehome and its contents without requiring the management to *pay past or current vehicle license fees* or obtain a tax clearance certificate. This bill would require the management to notify the county tax collector in the county in which the mobilehome park is located ~~and the Department of Housing and Community Development~~ that management will either ~~enforce a warehouse lien and declare the mobilehome as salvage~~ *apply to have the mobilehome designated for disposal after a warehouse lien sale* or dispose of an abandoned mobilehome and its contents pursuant to these provisions. *This bill would also require the management to file a notice of disposal, as specified, and to submit certain information required for completing the disposal process under penalty of perjury. This bill would require the Department of Housing and Community Development to charge a fee, as specified, for processing the notice of disposal and any information required for completing the disposal process.*

By expanding the crime of perjury, this bill would impose a state-mandated local program.

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: ~~no~~-yes.

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

1 SECTION 1. Section 798.56a of the Civil Code is amended to
2 read:

3 798.56a. (a) Within 60 days after receipt of, or no later than
4 65 days after the mailing of, the notice of termination of tenancy
5 pursuant to any reason provided in Section 798.56, the legal owner,
6 if any, and each junior lienholder, if any, shall notify the
7 management in writing of at least one of the following:

8 (1) Its offer to sell the obligation secured by the mobilehome
9 to the management for the amount specified in its written offer.
10 In that event, the management shall have 15 days following receipt
11 of the offer to accept or reject the offer in writing. If the offer is
12 rejected, the person or entity that made the offer shall have 10 days
13 in which to exercise one of the other options contained in this
14 section and shall notify management in writing of its choice.

15 (2) Its intention to foreclose on its security interest in the
16 mobilehome.

17 (3) Its request that the management pursue the termination of
18 tenancy against the homeowner and its offer to reimburse
19 management for the reasonable attorney's fees and court costs
20 incurred by the management in that action. If this request and offer
21 are made, the legal owner, if any, or junior lienholder, if any, shall
22 reimburse the management the amount of reasonable attorney's
23 fees and court costs, as agreed upon by the management and the
24 legal owner or junior lienholder, incurred by the management in
25 an action to terminate the homeowner's tenancy, on or before the
26 earlier of (A) the 60th calendar day following receipt of written
27 notice from the management of the aggregate amount of those
28 reasonable attorney's fees and costs or (B) the date the mobilehome
29 is resold.

30 (b) A legal owner, if any, or junior lienholder, if any, may sell
31 the mobilehome within the park to a third party and keep the
32 mobilehome on the site within the mobilehome park until it is
33 resold only if all of the following requirements are met:

34 (1) The legal owner, if any, or junior lienholder, if any, notifies
35 management in writing of the intention to exercise either option
36 described in paragraph (2) or (3) of subdivision (a) within 60 days
37 following receipt of, or no later than 65 days after the mailing of,
38 the notice of termination of tenancy and satisfies all of the

1 responsibilities and liabilities of the homeowner owing to the
2 management for the 90 days preceding the mailing of the notice
3 of termination of tenancy and then continues to satisfy these
4 responsibilities and liabilities as they accrue from the date of the
5 mailing of that notice until the date the mobilehome is resold.

6 (2) Within 60 days following receipt of, or no later than 65 days
7 after the mailing of, the notice of termination of tenancy, the legal
8 owner or junior lienholder commences all repairs and necessary
9 corrective actions so that the mobilehome complies with park rules
10 and regulations in existence at the time the notice of termination
11 of tenancy was given as well as the health and safety standards
12 specified in Sections 18550, 18552, and 18605 of the Health and
13 Safety Code, and completes these repairs and corrective actions
14 within 90 calendar days of that notice, or before the date that the
15 mobilehome is sold, whichever is earlier.

16 (3) The legal owner, if any, or junior lienholder, if any, complies
17 with the requirements of Article 7 (commencing with Section
18 798.70) as it relates to the transfer of the mobilehome to a third
19 party.

20 (c) For purposes of subdivision (b), the “homeowner’s
21 responsibilities and liabilities” means all rents, utilities, reasonable
22 maintenance charges of the mobilehome and its premises, and
23 reasonable maintenance of the mobilehome and its premises
24 pursuant to existing park rules and regulations.

25 (d) If the homeowner files for bankruptcy, the periods set forth
26 in this section are tolled until the mobilehome is released from
27 bankruptcy.

28 (e) (1) Notwithstanding any other provision of law, including,
29 but not limited to, Section 18099.5 of the Health and Safety Code,
30 if neither the legal owner nor a junior lienholder notifies the
31 management of its decision pursuant to subdivision (a) within the
32 period allowed, or performs as agreed within 30 days, or if a
33 registered owner of a mobilehome, that is not encumbered by a
34 lien held by a legal owner or a junior lienholder, fails to comply
35 with a notice of termination and is either legally evicted or vacates
36 the premises, the management may either remove the mobilehome
37 from the premises and place it in storage or store it on its site. In
38 this case, notwithstanding any other provision of law, the
39 management shall have a warehouse lien in accordance with
40 Section 7209 of the Commercial Code against the mobilehome for

1 the costs of dismantling and moving, if appropriate, as well as
2 storage, that shall be superior to all other liens, except the lien
3 provided for in Section 18116.1 of the Health and Safety Code,
4 and may enforce the lien pursuant to Section 7210 of the
5 Commercial Code either after the date of judgment in an unlawful
6 detainer action or after the date the mobilehome is physically
7 vacated by the resident, whichever occurs earlier. Upon completion
8 of any sale to enforce the warehouse lien in accordance with
9 Section 7210 of the Commercial Code, the management shall
10 provide the purchaser at the sale with evidence of the sale, as shall
11 be specified by the Department of Housing and Community
12 Development, that shall, upon proper request by the purchaser of
13 the mobilehome, register title to the mobilehome to this purchaser,
14 whether or not there existed a legal owner or junior lienholder on
15 this title to the mobilehome.

16 (2) (A) Notwithstanding any other ~~provision of law~~, if the
17 management of a mobilehome park ~~obtains title to~~ *acquires* a
18 mobilehome after enforcing the warehouse lien and ~~obtains~~
19 ~~approval from~~ *files a notice of disposal pursuant to subparagraph*
20 *(B) with the Department of Housing and Community Development*
21 *to designate the mobilehome for* ~~salvage, disposal,~~ management
22 or any other person enforcing this warehouse lien shall not be
23 required to *pay past or current vehicle license fees required by*
24 *Section 18115 of the Health and Safety Code or* obtain a tax
25 clearance certificate, as set forth in Section 5832 of the Revenue
26 and Taxation Code, provided that management notifies the county
27 tax collector in the county in which the mobilehome is ~~located,~~ as
28 ~~well as the Department of Housing and Community Development~~
29 *located* of management's intent to ~~enforce a warehouse lien and~~
30 *apply to have the mobilehome designated for* ~~salvage, disposal~~
31 *after a warehouse lien sale.* The written notice shall be sent to the
32 county tax collector ~~and the Department of Housing and~~
33 ~~Community Development~~ no less than 10 days ~~prior to~~ *after* the
34 ~~intended date of the sale to enforce the lien against the mobilehome.~~
35 ~~The notice shall be sent~~ *mobilehome* by first class mail, postage
36 prepaid.

37 (B) (i) *In order to dispose of a mobilehome after a warehouse*
38 *lien sale, the management shall file a notice of disposal with the*
39 *Department of Housing and Community Development in the form*

1 *and manner as prescribed by the department, no less than 10 days*
2 *after the date of sale to enforce the lien against the mobilehome.*

3 *(ii) After filing a notice of disposal pursuant to clause (i), the*
4 *management may dispose of the mobilehome after obtaining the*
5 *information required by applicable laws.*

6 *(C) (i) Within 30 days of the date of the disposal of the*
7 *mobilehome, the management shall submit to the Department of*
8 *Housing and Community Development all of the following*
9 *information required for completing the disposal process:*

10 *(I) Photographs identifying and demonstrating that the*
11 *mobilehome was uninhabitable by the removal or destruction of*
12 *all appliances and fixtures such as ovens, stoves, bathroom fixtures,*
13 *and heating or cooling appliances prior to its being moved.*

14 *(II) A statement of facts as to the condition of the mobilehome*
15 *when moved, the date it was moved, and the anticipated site of*
16 *further dismantling or disposal.*

17 *(III) The name, address, and license number of the person or*
18 *entity removing the mobilehome from the mobilehome park.*

19 *(ii) The information required pursuant to clause (i) shall be*
20 *submitted under penalty of perjury.*

21 *(D) For purposes of this paragraph, “dispose” or “disposal”*
22 *shall mean the removal and destruction of an abandoned*
23 *mobilehome from a mobilehome park, thus making it unusable for*
24 *any purpose and not subject to, or eligible for, use in the future*
25 *as a mobilehome.*

26 *(f) All written notices required by this section, except the notice*
27 *in paragraph (2) of subdivision (e), shall be sent to the other party*
28 *by certified or registered mail with return receipt requested.*

29 *(g) Satisfaction, pursuant to this section, of the homeowner’s*
30 *accrued or accruing responsibilities and liabilities shall not cure*
31 *the default of the homeowner.*

32 **SEC. 2.** Section 798.61 of the Civil Code is amended to read:
33 798.61. (a) (1) As used in this section, “abandoned
34 mobilehome” means a mobilehome about which all of the
35 following are true:

36 (A) It is located in a mobilehome park on a site for which no
37 rent has been paid to the management for the preceding 60 days.

38 (B) It is unoccupied.

39 (C) A reasonable person would believe it to be abandoned.

40 (D) It is not permanently affixed to the land.

1 (2) As used in this section:

2 (A) “Mobilehome” shall include a trailer coach, as defined in
3 Section 635 of the Vehicle Code, or a recreational vehicle, as
4 defined in Section 18010 of the Health and Safety Code, if the
5 trailer coach or recreational vehicle also satisfies the requirements
6 of paragraph (1), including being located on any site within a
7 mobilehome park, even if the site is in a separate designated section
8 pursuant to Section 18215 of the Health and Safety Code.

9 (B) “Abandoned mobilehome” shall include a mobilehome that
10 is uninhabitable because of its total or partial destruction that
11 cannot be rehabilitated, if the mobilehome also satisfies the
12 requirements of paragraph (1).

13 (C) “Dispose” or “disposal” shall mean the removal and
14 destruction of an abandoned mobilehome from a mobilehome park,
15 thus making it unusable for any ~~purpose~~ *purpose and not subject*
16 *to, or eligible for, use in the future as a mobilehome.*

17 (b) After determining a mobilehome in a mobilehome park to
18 be an abandoned mobilehome, the management shall post a notice
19 of belief of abandonment on the mobilehome for not less than 30
20 days, and shall deposit copies of the notice in the United States
21 mail, postage prepaid, addressed to the homeowner at the last
22 known address and to any known registered owner, if different
23 from the homeowner, and to any known holder of a security interest
24 in the abandoned mobilehome. This notice shall be mailed by
25 registered or certified mail with a return receipt requested.

26 (c) (1) Thirty or more days following posting pursuant to
27 subdivision (b), the management may file a petition in the superior
28 court in the county in which the mobilehome park is located, for
29 a judicial declaration of abandonment of the mobilehome. A
30 proceeding under this subdivision is a limited civil case. Copies
31 of the petition shall be served upon the homeowner, any known
32 registered owner, and any known person having a lien or security
33 interest of record in the mobilehome by posting a copy on the
34 mobilehome and mailing copies to those persons at their last known
35 addresses by registered or certified mail with a return receipt
36 requested in the United States mail, postage prepaid.

37 (2) To dispose of an abandoned mobilehome pursuant to
38 subdivision (f), the management shall also do all of the following:

39 (A) Declare in the petition that the management will dispose of
40 the abandoned mobilehome, and therefore will not seek a tax

1 clearance certificate as set forth in Section 5832 of the Revenue
2 and Taxation Code.

3 (B) Declare in the petition whether the management intends to
4 sell the contents of the abandoned mobilehome before its disposal.

5 (C) Notify the county tax collector in the county in which the
6 mobilehome park is located ~~and the Department of Housing and~~
7 ~~Community Development~~ of the declaration that management will
8 dispose of the abandoned mobilehome by sending a copy of the
9 petition by first class mail.

10 (D) *Declare in the petition that management intends to file a*
11 *notice of disposal with the Department of Housing and Community*
12 *Development and complete the disposal process consistent with*
13 *the requirements of subdivision (f).*

14 (d) (1) Hearing on the petition shall be given precedence over
15 other matters on the court’s calendar.

16 (2) If, at the hearing, the petitioner shows by a preponderance
17 of the evidence that the criteria for an abandoned mobilehome has
18 been satisfied and no party establishes an interest therein at the
19 hearing and tenders all past due rent and other charges, the court
20 shall enter a judgment of abandonment, determine the amount of
21 charges to which the petitioner is entitled, and award attorney’s
22 fees and costs to the petitioner. For purposes of this subdivision,
23 an interest in the mobilehome shall be established by evidence of
24 a right to possession of the mobilehome or a security or ownership
25 interest in the mobilehome.

26 (3) A default may be entered by the court clerk upon request of
27 the petitioner, and a default judgment shall be thereupon entered,
28 if no responsive pleading is filed within 15 days after service of
29 the petition by mail.

30 (e) To sell an abandoned mobilehome, the management shall
31 do all of the following:

32 (1) (A) Within 10 days following a judgment of abandonment,
33 the management shall enter the abandoned mobilehome and
34 complete an inventory of the contents and submit the inventory to
35 the court.

36 (B) During this period the management shall post and mail a
37 notice of intent to sell the abandoned mobilehome and its contents
38 under this section, and announcing the date of sale, in the same
39 manner as provided for the notice of determination of abandonment
40 under subdivision (b). The management shall also provide notice

1 to the county tax collector in the county in which the mobilehome
2 park is located and the Department of Housing and Community
3 Development. *located.*

4 (C) At any time prior to the sale of an abandoned mobilehome
5 or its contents under this section, any person having a right to
6 possession of the abandoned mobilehome may recover and remove
7 it from the premises upon payment to the management of all rent
8 or other charges due, including reasonable costs of storage and
9 other costs awarded by the court. Upon receipt of this payment
10 and removal of the abandoned mobilehome from the premises
11 pursuant to this paragraph, the management shall immediately file
12 an acknowledgment of satisfaction of judgment pursuant to Section
13 724.030 of the Code of Civil Procedure.

14 (2) Following the judgment of abandonment, but not less than
15 10 days following the notice of sale specified in paragraph (1), the
16 management may conduct a public sale of the abandoned
17 mobilehome, its contents, or both. The management may bid at
18 the sale and shall have the right to offset its bids to the extent of
19 the total amount due it under this section. The proceeds of the sale
20 shall be retained by the management, but any unclaimed amount
21 thus retained over and above the amount to which the management
22 is entitled under this section shall be deemed abandoned property
23 and shall be paid into the treasury of the county in which the sale
24 took place within 30 days of the date of the sale. The former
25 homeowner or any other owner may claim any or all of that
26 unclaimed amount within one year from the date of payment to
27 the county by making application to the county treasurer or other
28 official designated by the county. If the county pays any or all of
29 that unclaimed amount to a claimant, neither the county nor any
30 officer or employee of the county is liable to any other claimant
31 as to the amount paid.

32 ~~(3) Within 30 days of the date of the sale of the abandoned~~
33 ~~mobilehome and its contents, the management shall submit to the~~
34 ~~court an accounting of the moneys received from the sale and the~~
35 ~~disposition of the money and the items contained in the inventory~~
36 ~~submitted to the court pursuant to paragraph (1).~~

37 (4)

38 (3) The management shall provide the purchaser at the sale of
39 an abandoned mobilehome with a copy of the judgment of
40 abandonment and evidence of the sale, as shall be specified by the

1 Department of Housing and Community ~~Development or the~~
 2 ~~Department of Motor Vehicles, Development~~, which shall register
 3 title in the abandoned mobilehome to the purchaser upon
 4 presentation ~~thereof. thereof within 20 days of purchase.~~ The sale
 5 shall pass title to the purchaser free of any prior interest, including
 6 any security interest or lien, except the lien provided for in Section
 7 18116.1 of the Health and Safety Code, in the abandoned
 8 mobilehome.

9 (f) To dispose of an abandoned mobilehome, the management
 10 shall do all of the following:

11 (1) (A) Within 10 days following a judgment of abandonment,
 12 the management shall enter the abandoned mobilehome and
 13 complete an inventory of the contents and submit the inventory to
 14 the court.

15 (B) During this period the management shall post and mail a
 16 notice of intent to dispose of the abandoned mobilehome and its
 17 contents under this section, and announcing the date of disposal,
 18 in the same manner as provided for the notice of determination of
 19 abandonment under subdivision (b). The management shall also
 20 provide notice to the county tax collector in the county in which
 21 the mobilehome park is ~~located and the Department of Housing~~
 22 ~~and Community Development.~~ *located.*

23 (C) (i) *The management shall file a notice of disposal with the*
 24 *Department of Housing and Community Development in the form*
 25 *and manner as prescribed by the department.*

26 (ii) *Notwithstanding any other law, when filing a notice of*
 27 *disposal pursuant to clause (i), the management shall not be*
 28 *required to pay past or current vehicle license fees required by*
 29 *Section 18115 of the Health and Safety Code or obtain a tax*
 30 *clearance certificated as set forth in Section 5832 of the Revenue*
 31 *and Taxation Code, provided that the management notifies the*
 32 *county tax collector in the county in which the mobilehome is*
 33 *located of the management's intent to apply to have the*
 34 *mobilehome designated for disposal pursuant to this subdivision.*
 35 *The written notice shall be sent to the county tax collector no less*
 36 *than 10 days after the date of the abandonment judgment by first*
 37 *class mail, postage prepaid.*

38 (E)

39 (D) At any time prior to the disposal of an abandoned
 40 mobilehome or its contents under this section, any person having

1 a right to possession of the abandoned mobilehome may recover
2 and remove it from the premises upon payment to the management
3 of all rent or other charges due, including reasonable costs of
4 storage and other costs awarded by the court. Upon receipt of this
5 payment and removal of the abandoned mobilehome from the
6 premises pursuant to this subparagraph, the management shall
7 immediately file an acknowledgment of satisfaction of judgment
8 pursuant to Section 724.030 of the Code of Civil ~~Procedure.~~
9 *Procedure and a cancellation of the notice of disposal with the*
10 *Department of Housing and Community Development.*

11 (2) Following the judgment of ~~abandonment,~~ *abandonment and*
12 *approval of the notice of disposal by the Department of Housing*
13 *and Community Development,* but not less than 10 days following
14 the notice of disposal specified in paragraph (1), the management
15 may dispose of the abandoned ~~mobilehome.~~ *mobilehome after*
16 *obtaining the information required in subparagraph (A) of*
17 *paragraph (3).*

18 (3) (A) Within 30 days of the date of the disposal of an
19 abandoned mobilehome and its contents, the management shall
20 ~~submit~~ *do both of the following:*

21 (i) ~~Submit to the court,~~ *court and* the county tax collector in
22 the county in which the mobilehome park is located, ~~and the~~
23 ~~Department of Housing and Community Development~~ a statement
24 that the abandoned mobilehome and its contents were disposed
25 with supporting documentation.

26 (ii) (I) *Submit to the Department of Housing and Community*
27 *Development all of the following information required for*
28 *completing the disposal process:*

29 (ia) *Photographs identifying and demonstrating that the*
30 *mobilehome was uninhabitable by the removal or destruction of*
31 *all appliances and fixtures such as ovens, stoves, bathroom fixtures,*
32 *and heating or cooling appliances prior to its being moved.*

33 (ib) *A statement of facts as to the condition of the mobilehome*
34 *when moved, the date it was moved, and the anticipated site of*
35 *further dismantling or disposal.*

36 (ic) *The name, address, and license number of the person or*
37 *entity removing the mobilehome from the mobilehome park.*

38 (II) *The information required pursuant to subclause (I) shall*
39 *be submitted under penalty of perjury.*

1 (B) Within 30 days of the date of the disposal of an abandoned
 2 mobilehome or the date of the sale of its contents, whichever date
 3 is later, the management shall submit to the ~~court~~, *court and* the
 4 county tax collector in the county in which the mobilehome park
 5 is ~~located~~, and the Department of Housing and Community
 6 Development *located* an accounting of the moneys received from
 7 the sale and the disposition of the money and the items contained
 8 in the inventory submitted to the court pursuant to paragraph (1)
 9 and a statement that the abandoned mobilehome was disposed with
 10 supporting documentation.

11 ~~(4) The management shall obtain a salvage title from the~~
 12 ~~Department of Housing and Community Development prior to~~
 13 ~~disposal.~~

14 (g) Notwithstanding any other law, the management shall not
 15 be required to obtain a tax clearance certificate, as set forth in
 16 Section 5832 of the Revenue and Taxation Code, to dispose of an
 17 abandoned mobilehome and its contents pursuant to subdivision
 18 (f). However, any sale pursuant to this section shall be subject to
 19 the *registration requirements of Section 18100.5 of the Health and*
 20 *Safety Code and the tax clearance certificate requirements of*
 21 *Section 18092.7 of the Health and Safety Code.*

22 *SEC. 3. Section 18080.5 of the Health and Safety Code is*
 23 *amended to read:*

24 18080.5. (a) A numbered report of sale, lease, or rental form
 25 issued by the department shall be submitted each time the following
 26 transactions occur by or through a dealer:

27 (1) Whenever a manufactured home, mobilehome, or
 28 commercial coach previously registered pursuant to this part is
 29 sold, leased with an option to buy, or otherwise transferred.

30 (2) Whenever a manufactured home, mobilehome, or
 31 commercial coach not previously registered in this state is sold,
 32 rented, leased, leased with an option to buy, or otherwise
 33 transferred.

34 (b) The numbered report of sale, lease, or rental forms shall be
 35 used and distributed in accordance with the following terms and
 36 conditions:

37 (1) A copy of the form shall be delivered to the purchaser.

38 (2) All fees and penalties due for the transaction that were
 39 required to be reported with the report of sale, lease, or rental form
 40 shall be paid to the department within 10 calendar days from the

1 date the transaction is completed, as specified by subdivision (e).
2 Penalties due for noncompliance with this paragraph shall be paid
3 by the dealer. The dealer shall not charge the consumer for those
4 penalties.

5 (3) Notice of the registration or transfer of a manufactured home
6 or mobilehome shall be reported pursuant to subdivision (d).

7 (4) The original report of sale, lease, or rental form, together
8 with all required documents to report the transaction or make
9 application to register or transfer a manufactured home,
10 mobilehome, or commercial coach, shall be forwarded to the
11 department. Any application shall be submitted within 10 calendar
12 days from the date the transaction was required to be reported, as
13 defined by subdivision (e).

14 (c) A manufactured home, mobilehome, or commercial coach
15 displaying a copy of the report of sale, lease, or rental may be
16 occupied without registration decals or registration card until the
17 registration decals and registration card are received by the
18 purchaser.

19 (d) In addition to the other requirements of this section, every
20 dealer upon transferring by sale, lease, or otherwise any
21 manufactured home or mobilehome shall, not later than the 10th
22 calendar day thereafter, not counting the date of sale, give written
23 notice of the transfer to the assessor of the county where the
24 manufactured home or mobilehome is to be installed. The written
25 notice shall be upon forms provided by the department containing
26 any information that the department may require, after consultation
27 with the assessors. Filing of a copy of the notice with the assessor
28 in accordance with this section shall be in lieu of filing a change
29 of ownership statement pursuant to Sections 480 and 482 of the
30 Revenue and Taxation Code.

31 (e) Except for transactions subject to Section 18035.26, for
32 purposes of this section, a transaction by or through a dealer shall
33 be deemed completed and consummated and any fees and the
34 required report of sale, lease, or rental are due when any of the
35 following occurs:

36 (1) The purchaser of any commercial coach has signed a
37 purchase contract or security agreement or paid any purchase price,
38 the lessee of a new commercial coach has signed a lease agreement
39 or lease with an option to buy or paid any purchase price, or the
40 lessee of a used commercial coach has either signed a lease with

1 an option to buy or paid any purchase price, and the purchaser or
2 lessee has taken physical possession or delivery of the commercial
3 coach.

4 (2) For sales subject to Section 18035, when all the amounts
5 other than escrow fees and amounts for uninstalled or undelivered
6 accessories are disbursed from the escrow account.

7 (3) For sales subject to Section 18035.2, when the installation
8 is complete and a certificate of occupancy is issued.

9 *(f) The department shall charge a fee, not to exceed forty-five*
10 *dollars (\$45), for processing the notice of disposal and any*
11 *information required for completing the disposal process required*
12 *pursuant to Section 798.56a and 798.61 of the Civil Code.*

13 *SEC. 4. No reimbursement is required by this act pursuant to*
14 *Section 6 of Article XIII B of the California Constitution because*
15 *the only costs that may be incurred by a local agency or school*
16 *district will be incurred because this act creates a new crime or*
17 *infraction, eliminates a crime or infraction, or changes the penalty*
18 *for a crime or infraction, within the meaning of Section 17556 of*
19 *the Government Code, or changes the definition of a crime within*
20 *the meaning of Section 6 of Article XIII B of the California*
21 *Constitution.*