

AMENDED IN SENATE JULY 15, 2015

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

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**ASSEMBLY BILL**

**No. 999**

**Introduced by Assembly Member Daly**

February 26, 2015

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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~~: *mobilehomes, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 999, as amended, Daly. 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.

*Existing law, the Manufactured Housing Act of 1980, requires the Department of Housing and Community Development to enforce various laws pertaining to manufactured housing, mobilehomes, park trailers, commercial coaches, special purpose commercial coaches, and recreational vehicles. Existing law requires all fees accruing to the department pursuant to the act to be deposited within the Mobilehome Revolving Fund, which is continuously appropriated to the department for carrying out the act.*

This bill would amend the Mobilehome Residency Law to, among other things, authorize the management to enforce a warehouse lien and to designate a mobilehome 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 that management will either 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 establishing additional fees to be deposited into the Mobilehome Revolving Fund, this bill would make an appropriation.*

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~~-yes. Fiscal committee: yes. State-mandated local program: 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.

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

5 (1) The legal owner, if any, or junior lienholder, if any, notifies  
6 management in writing of the intention to exercise either option  
7 described in paragraph (2) or (3) of subdivision (a) within 60 days  
8 following receipt of, or no later than 65 days after the mailing of,  
9 the notice of termination of tenancy and satisfies all of the  
10 responsibilities and liabilities of the homeowner owing to the  
11 management for the 90 days preceding the mailing of the notice  
12 of termination of tenancy and then continues to satisfy these  
13 responsibilities and liabilities as they accrue from the date of the  
14 mailing of that notice until the date the mobilehome is resold.

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

25 (3) The legal owner, if any, or junior lienholder, if any, complies  
26 with the requirements of Article 7 (commencing with Section  
27 798.70) as it relates to the transfer of the mobilehome to a third  
28 party.

29 (c) For purposes of subdivision (b), the “homeowner’s  
30 responsibilities and liabilities” means all rents, utilities, reasonable  
31 maintenance charges of the mobilehome and its premises, and  
32 reasonable maintenance of the mobilehome and its premises  
33 pursuant to existing park rules and regulations.

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

37 (e) (1) Notwithstanding any other provision of law, including,  
38 but not limited to, Section 18099.5 of the Health and Safety Code,  
39 if neither the legal owner nor a junior lienholder notifies the  
40 management of its decision pursuant to subdivision (a) within the

1 period allowed, or performs as agreed within 30 days, or if a  
2 registered owner of a mobilehome, that is not encumbered by a  
3 lien held by a legal owner or a junior lienholder, fails to comply  
4 with a notice of termination and is either legally evicted or vacates  
5 the premises, the management may either remove the mobilehome  
6 from the premises and place it in storage or store it on its site. In  
7 this case, notwithstanding any other provision of law, the  
8 management shall have a warehouse lien in accordance with  
9 Section 7209 of the Commercial Code against the mobilehome for  
10 the costs of dismantling and moving, if appropriate, as well as  
11 storage, that shall be superior to all other liens, except the lien  
12 provided for in Section 18116.1 of the Health and Safety Code,  
13 and may enforce the lien pursuant to Section 7210 of the  
14 Commercial Code either after the date of judgment in an unlawful  
15 detainer action or after the date the mobilehome is physically  
16 vacated by the resident, whichever occurs earlier. Upon completion  
17 of any sale to enforce the warehouse lien in accordance with  
18 Section 7210 of the Commercial Code, the management shall  
19 provide the purchaser at the sale with evidence of the sale, as shall  
20 be specified by the Department of Housing and Community  
21 Development, that shall, upon proper request by the purchaser of  
22 the mobilehome, register title to the mobilehome to this purchaser,  
23 whether or not there existed a legal owner or junior lienholder on  
24 this title to the mobilehome.

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

1 (B) (i) In order to dispose of a mobilehome after a warehouse  
2 lien sale, the management shall file a notice of disposal with the  
3 Department of Housing and Community Development in the form  
4 and manner as prescribed by the department, no less than 10 days  
5 after the date of sale to enforce the lien against the mobilehome.

6 (ii) After filing a notice of disposal pursuant to clause (i), the  
7 management may dispose of the mobilehome after obtaining the  
8 information required by applicable laws.

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

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

17 (II) A statement of facts as to the condition of the mobilehome  
18 when moved, the date it was moved, and the anticipated site of  
19 further dismantling or disposal.

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

22 (ii) The information required pursuant to clause (i) shall be  
23 submitted under penalty of perjury.

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

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

32 (g) Satisfaction, pursuant to this section, of the homeowner’s  
33 accrued or accruing responsibilities and liabilities shall not cure  
34 the default of the homeowner.

35 SEC. 2. Section 798.61 of the Civil Code is amended to read:

36 798.61. (a) (1) As used in this section, “abandoned  
37 mobilehome” means a mobilehome about which all of the  
38 following are true:

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

- 1 (B) It is unoccupied.
- 2 (C) A reasonable person would believe it to be abandoned.
- 3 (D) It is not permanently affixed to the land.

4 (2) As used in this section:

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

12 (B) "Abandoned mobilehome" shall include a mobilehome that  
13 is uninhabitable because of its total or partial destruction that  
14 cannot be rehabilitated, if the mobilehome also satisfies the  
15 requirements of paragraph (1).

16 (C) "Dispose" or "disposal" shall mean the removal and  
17 destruction of an abandoned mobilehome from a mobilehome park,  
18 thus making it unusable for any purpose and not subject to, or  
19 eligible for, use in the future as a mobilehome.

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

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

1 (2) To dispose of an abandoned mobilehome pursuant to  
2 subdivision (f), the management shall also do all of the following:  
3 (A) Declare in the petition that the management will dispose of  
4 the abandoned mobilehome, and therefore will not seek a tax  
5 clearance certificate as set forth in Section 5832 of the Revenue  
6 and Taxation Code.  
7 (B) Declare in the petition whether the management intends to  
8 sell the contents of the abandoned mobilehome before its disposal.  
9 (C) Notify the county tax collector in the county in which the  
10 mobilehome park is located of the declaration that management  
11 will dispose of the abandoned mobilehome by sending a copy of  
12 the petition by first class mail.  
13 (D) Declare in the petition that management intends to file a  
14 notice of disposal with the Department of Housing and Community  
15 Development and complete the disposal process consistent with  
16 the requirements of subdivision (f).  
17 (d) (1) Hearing on the petition shall be given precedence over  
18 other matters on the court's calendar.  
19 (2) If, at the hearing, the petitioner shows by a preponderance  
20 of the evidence that the criteria for an abandoned mobilehome has  
21 been satisfied and no party establishes an interest therein at the  
22 hearing and tenders all past due rent and other charges, the court  
23 shall enter a judgment of abandonment, determine the amount of  
24 charges to which the petitioner is entitled, and award attorney's  
25 fees and costs to the petitioner. For purposes of this subdivision,  
26 an interest in the mobilehome shall be established by evidence of  
27 a right to possession of the mobilehome or a security or ownership  
28 interest in the mobilehome.  
29 (3) A default may be entered by the court clerk upon request of  
30 the petitioner, and a default judgment shall be thereupon entered,  
31 if no responsive pleading is filed within 15 days after service of  
32 the petition by mail.  
33 (e) To sell an abandoned mobilehome, the management shall  
34 do all of the following:  
35 (1) (A) Within 10 days following a judgment of abandonment,  
36 the management shall enter the abandoned mobilehome and  
37 complete an inventory of the contents and submit the inventory to  
38 the court.  
39 (B) During this period the management shall post and mail a  
40 notice of intent to sell the abandoned mobilehome and its contents

1 under this section, and announcing the date of sale, in the same  
2 manner as provided for the notice of determination of abandonment  
3 under subdivision (b). The management shall also provide notice  
4 to the county tax collector in the county in which the mobilehome  
5 park is located.

6 (C) At any time prior to the sale of an abandoned mobilehome  
7 or its contents under this section, any person having a right to  
8 possession of the abandoned mobilehome may recover and remove  
9 it from the premises upon payment to the management of all rent  
10 or other charges due, including reasonable costs of storage and  
11 other costs awarded by the court. Upon receipt of this payment  
12 and removal of the abandoned mobilehome from the premises  
13 pursuant to this paragraph, the management shall immediately file  
14 an acknowledgment of satisfaction of judgment pursuant to Section  
15 724.030 of the Code of Civil Procedure.

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

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

38 ~~(3)~~

39 (4) The management shall provide the purchaser at the sale of  
40 an abandoned mobilehome with a copy of the judgment of

1 abandonment and evidence of the sale, as shall be specified by the  
 2 Department of Housing and Community Development, which shall  
 3 register title in the abandoned mobilehome to the purchaser upon  
 4 presentation thereof within 20 days of purchase. The sale shall  
 5 pass title to the purchaser free of any prior interest, including any  
 6 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.

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

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

37 (D) At any time prior to the disposal of an abandoned  
 38 mobilehome or its contents under this section, any person having  
 39 a right to possession of the abandoned mobilehome may recover  
 40 and remove it from the premises upon payment to the management

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

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

15 (3) (A) Within 30 days of the date of the disposal of an  
16 abandoned mobilehome and its contents, the management shall  
17 do both of the following:

18 (i) Submit to the court and the county tax collector in the county  
19 in which the mobilehome park is located a statement that the  
20 abandoned mobilehome and its contents were disposed with  
21 supporting documentation.

22 (ii) (I) Submit to the Department of Housing and Community  
23 Development all of the following information required for  
24 completing the disposal process:

25 (ia) Photographs identifying and demonstrating that the  
26 mobilehome was uninhabitable by the removal or destruction of  
27 all appliances and fixtures such as ovens, stoves, bathroom fixtures,  
28 and heating or cooling appliances prior to its being moved.

29 (ib) A statement of facts as to the condition of the mobilehome  
30 when moved, the date it was moved, and the anticipated site of  
31 further dismantling or disposal.

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

34 (II) The information required pursuant to subclause (I) shall be  
35 submitted under penalty of perjury.

36 (B) Within 30 days of the date of the disposal of an abandoned  
37 mobilehome or the date of the sale of its contents, whichever date  
38 is later, the management shall submit to the court and the county  
39 tax collector in the county in which the mobilehome park is located  
40 an accounting of the moneys received from the sale and the

1 disposition of the money and the items contained in the inventory  
2 submitted to the court pursuant to paragraph (1) and a statement  
3 that the abandoned mobilehome was disposed with supporting  
4 documentation.

5 (g) Notwithstanding any other law, the management shall not  
6 be required to obtain a tax clearance certificate, as set forth in  
7 Section 5832 of the Revenue and Taxation Code, to dispose of an  
8 abandoned mobilehome and its contents pursuant to subdivision  
9 (f). However, any sale pursuant to this section shall be subject to  
10 the registration requirements of Section 18100.5 of the Health and  
11 Safety Code and the tax clearance certificate requirements of  
12 Section 18092.7 of the Health and Safety Code.

13 SEC. 3. Section 18080.5 of the Health and Safety Code is  
14 amended to read:

15 18080.5. (a) A numbered report of sale, lease, or rental form  
16 issued by the department shall be submitted each time the following  
17 transactions occur by or through a dealer:

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

21 (2) Whenever a manufactured home, mobilehome, or  
22 commercial coach not previously registered in this state is sold,  
23 rented, leased, leased with an option to buy, or otherwise  
24 transferred.

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

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

29 (2) All fees and penalties due for the transaction that were  
30 required to be reported with the report of sale, lease, or rental form  
31 shall be paid to the department within 10 calendar days from the  
32 date the transaction is completed, as specified by subdivision (e).  
33 Penalties due for noncompliance with this paragraph shall be paid  
34 by the dealer. The dealer shall not charge the consumer for those  
35 penalties.

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

38 (4) The original report of sale, lease, or rental form, together  
39 with all required documents to report the transaction or make  
40 application to register or transfer a manufactured home,

1 mobilehome, or commercial coach, shall be forwarded to the  
2 department. Any application shall be submitted within 10 calendar  
3 days from the date the transaction was required to be reported, as  
4 defined by subdivision (e).

5 (c) A manufactured home, mobilehome, or commercial coach  
6 displaying a copy of the report of sale, lease, or rental may be  
7 occupied without registration decals or registration card until the  
8 registration decals and registration card are received by the  
9 purchaser.

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

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

27 (1) The purchaser of any commercial coach has signed a  
28 purchase contract or security agreement or paid any purchase price,  
29 the lessee of a new commercial coach has signed a lease agreement  
30 or lease with an option to buy or paid any purchase price, or the  
31 lessee of a used commercial coach has either signed a lease with  
32 an option to buy or paid any purchase price, and the purchaser or  
33 lessee has taken physical possession or delivery of the commercial  
34 coach.

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

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

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

5 SEC. 4. No reimbursement is required by this act pursuant to  
6 Section 6 of Article XIII B of the California Constitution because  
7 the only costs that may be incurred by a local agency or school  
8 district will be incurred because this act creates a new crime or  
9 infraction, eliminates a crime or infraction, or changes the penalty  
10 for a crime or infraction, within the meaning of Section 17556 of  
11 the Government Code, or changes the definition of a crime within  
12 the meaning of Section 6 of Article XIII B of the California  
13 Constitution.

O