

AMENDED IN ASSEMBLY SEPTEMBER 8, 1995

AMENDED IN SENATE JUNE 26, 1995

AMENDED IN SENATE MAY 26, 1995

SENATE BILL

No. 1181

Introduced by Senator Haynes

February 24, 1995

An act to add Section 798.21 to the Civil Code, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

SB 1181, as amended, Haynes. Mobilehome Residency Law: rent control.

Existing law provides that certain rental agreements relating to mobilehomes located in a mobilehome park, which meet specified criteria, are exempt from local measures which establish a maximum amount that a landlord may charge a tenant for rent.

This bill would provide that if a mobilehome space within a mobilehome park is not the location of the principal residence, as defined, of the owner of the mobilehome located thereon and the owner of the mobilehome has not rented the mobilehome to another party, it shall be exempt from any ordinance, rule, regulation, or initiative measure adopted by any city, county, or city and county which establishes a maximum amount that a landlord may charge a tenant for rent. This provision would not apply while the mobilehome owner is unable to rent or lease the mobilehome for a prescribed reason, ~~or~~ while the mobilehome is available for

sale, or if the legal owner has taken possession or ownership of the mobilehome from a registered owner through a surrender of ownership interest or a foreclosure, as specified.

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 798.21 is added to the Civil Code,
2 to read:

3 798.21. (a) Notwithstanding Section 798.17, if a
4 mobilehome space within a mobilehome park is not the
5 location of the principal residence of the owner of the
6 mobilehome located thereon and the owner of the
7 mobilehome has not rented the mobilehome to another
8 party, it shall be exempt from any ordinance, rule,
9 regulation, or initiative measure adopted by any city,
10 county, or city and county, which establishes a maximum
11 amount that the landlord may charge a tenant for rent.

12 (b) Nothing in this section is intended to require any
13 homeowner to disclose information concerning his or her
14 personal finances.

15 (c) For purposes of this section, a mobilehome shall be
16 deemed to be the principal residence of the owner of the
17 mobilehome, unless a review of state or county records
18 demonstrates that the mobilehome owner is receiving a
19 homeowner’s exemption for another property or
20 mobilehome in this state.

21 (d) This section shall not apply under ~~either~~ any of the
22 following conditions:

23 (1) The mobilehome owner is unable to rent or lease
24 the mobilehome because the owner or management of
25 the mobilehome park in which the mobilehome is located
26 does not permit, or the rental agreement limits or
27 prohibits, the assignment of the mobilehome or the
28 subletting of the park space.

29 (2) The mobilehome is being actively held available
30 for sale by the mobilehome owner, or pursuant to a listing
31 agreement with a real estate broker licensed pursuant to
32 Chapter 3 (commencing with Section 10130) of Part 1 of



1 Division 4 of the Business and Professions Code, or a
2 mobilehome dealer, as defined in Section 18002.6 of the
3 Health and Safety Code.

4 *(3) The legal owner has taken possession or ownership,*
5 *or both, of the mobilehome from a registered owner*
6 *through either a surrender of ownership interest by the*
7 *registered owner or a foreclosure proceeding.*

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