

AMENDED IN SENATE JULY 1, 1997
AMENDED IN ASSEMBLY MAY 5, 1997
AMENDED IN ASSEMBLY APRIL 14, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 672

Introduced by Assembly Member Honda

February 26, 1997

An act to amend Section 798.73 of, and to add Section ~~798.89~~ 798.83 to, the Civil Code, relating to mobilehome parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 672, as amended, Honda. Mobilehome parks: mobilehome transfers.

Existing law allows the management of a mobilehome park, in the event of a sale of the mobilehome to a 3rd party, to require that the mobilehome be removed from the park if, among other factors, it is in a significantly rundown condition or in disrepair. In these circumstances, the management of the park is prohibited from requiring repairs or improvements to the park space or property owned by the management, ~~except for the damage caused by the homeowner as specified.~~

This bill would ~~delete the foregoing prohibition as it applies to the removal of a significantly rundown mobilehome.~~ However, this bill would provide that, in the context of any sale or transfer of a mobilehome that will remain in the park, the management of the park shall ~~not require~~ *also be*

prohibited from requiring repairs or improvements to the park space or property owned by the management, except for damage caused by the actions or neglect of the homeowner as specified. It also would make a conforming change.

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 798.73 of the Civil Code is
2 amended to read:

3 798.73. The management shall not require the
4 removal of a mobilehome from the park in the event of
5 its sale to a third party during the term of the
6 homeowner’s rental agreement. However, in the event of
7 a sale to a third party, in order to upgrade the quality of
8 the park, the management may require that a
9 mobilehome be removed from the park where:

10 (a) It is not a “mobilehome” within the meaning of
11 Section 798.3.

12 (b) It is more than 20 years old, or more than 25 years
13 old if manufactured after September 15, 1971, and is 20
14 feet wide or more, and the mobilehome does not comply
15 with the health and safety standards provided in Sections
16 18550, 18552, and 18605 of the Health and Safety Code and
17 the regulations established thereunder, as determined
18 following an inspection by the appropriate enforcement
19 agency, as defined in Section 18207 of the Health and
20 Safety Code.

21 (c) The mobilehome is more than 17 years old, or more
22 than 25 years old if manufactured after September 15,
23 1971, and is less than 20 feet wide, and the mobilehome
24 does not comply with the construction and safety
25 standards under Sections 18550, 18552, and 18605 of the
26 Health and Safety Code and the regulations established
27 thereunder, as determined following an inspection by the
28 appropriate enforcement agency, as defined in Section
29 18207 of the Health and Safety Code.

30 (d) It is in a significantly rundown condition or in
31 disrepair, as determined by the general condition of the



1 mobilehome and its acceptability to the health and safety
2 of the occupants and to the public, exclusive of its age.
3 The management shall use reasonable discretion in
4 determining the general condition of the mobilehome
5 and its accessory structures. The management shall bear
6 the burden of demonstrating that the mobilehome is in
7 a significantly rundown condition or in disrepair. *The*
8 *management of the park shall not require repairs or*
9 *improvements to the park space or property owned by*
10 *the management, except for damage caused by the*
11 *actions or neglect of the homeowner or an agent of the*
12 *homeowner.*

13 SEC. 2. Section—~~798.89~~ 798.83 is added to the Civil
14 Code, to read:

15 ~~798.89.~~

16 798.83. In the case of a sale or transfer of a
17 mobilehome that will remain in the park, the
18 management of the park shall not require repairs or
19 improvements to the park space or property owned by
20 the management, except for damage caused by the
21 actions or neglect of the homeowner *or an agent of the*
22 *homeowner.*

