

Introduced by Senator Dunn

February 24, 1999

An act to amend Sections 18150, 18151, 18152, 18153, and 18253.5 of the Health and Safety Code, relating to manufactured homes.

LEGISLATIVE COUNSEL'S DIGEST

SB 619, as introduced, Dunn. Manufactured homes: ombudsman.

Existing law establishes the position of Mobilehome Ombudsman in the Department of Housing and Community Development, and sets forth the duties of the ombudsman in providing assistance in taking complaints from the public relating to manufactured homes and mobilehomes, and helping to resolve and coordinate the resolution of those complaints. The department is required to provide signs with information relating to the ombudsman to be posted by licensed mobilehome parks.

This bill would rename the ombudsman the Manufactured Home Ombudsman. It would make various changes in the duties of the ombudsman, and relating to the posting of the information signs.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

- 1 SECTION 1. Section 18150 of the Health and Safety
- 2 Code is amended to read:

1 18150. The Legislature finds and declares that
2 increasing numbers of Californians live in manufactured
3 homes and mobilehomes and that most of those
4 manufactured home and mobilehome owners reside in
5 mobilehome parks. Because of the growing number of
6 problems and complaints dealing with various aspects of
7 living in manufactured homes and mobilehomes, it is
8 necessary to designate a ~~Mobilehome Manufactured~~
9 *Home Ombudsman* within the ~~Department of Housing~~
10 ~~and Community Development~~ *department* to better
11 provide assistance to the public in handling and
12 coordinating the resolution to those problems and
13 complaints.

14 SEC. 2. Section 18151 of the Health and Safety Code
15 is amended to read:

16 18151. (a) The position of ~~mobilehome ombudsman~~
17 *Manufactured Home Ombudsman* is hereby established
18 in the ~~Department of Housing and Community~~
19 ~~Development~~ *department*.

20 (b) Except as provided in subdivision (c), the
21 ombudsman shall provide assistance in taking complaints,
22 and helping to resolve and coordinate the resolution of
23 those complaints, from the public relating to
24 manufactured homes and mobilehomes, including, but
25 not limited to, problems of titling and registration,
26 installation, warranties, financing, other than financing
27 by a supervised financial organization, as defined in
28 Section 1801.6 of the Civil Code, sales, inspection of
29 homes and parks, *manufactured home and mobilehome*
30 *accessories and improvements, including support or*
31 *foundation systems and earthquake resistant bracing*
32 *systems, problems relating to the conversion of parks to*
33 *a form of resident ownership*, and problems relating to
34 the Mobilehome Residency Law (Chapter 2.5
35 (commencing with Section 798) of Title 2 of Part 2 of
36 Division 2 of the Civil Code).

37 (c) The ombudsman shall not arbitrate, mediate,
38 negotiate, or provide legal advice on mobilehome park
39 rent disputes, lease or rental agreements, or disputes



1 arising from lease or rental agreements, but may provide
2 information on these issues.

3 (d) The ombudsman shall refer any alleged violations
4 of law or regulations within the ~~Department of Housing~~
5 ~~and Community Development's~~ *department's*
6 jurisdiction to the Division of Codes and Standards within
7 the ~~Department of Housing and Community~~
8 ~~Development~~ *department*.

9 SEC. 3. Section 18152 of the Health and Safety Code
10 is amended to read:

11 18152. The Governor shall designate a deputy
12 director in the ~~Department of Housing and Community~~
13 ~~Development~~ *department* to serve as the ~~Mobilehome~~
14 *Manufactured Home* Ombudsman.

15 SEC. 4. Section 18153 of the Health and Safety Code
16 is amended to read:

17 18153. (a) The ~~Mobilehome~~ *Manufactured Home*
18 Ombudsman shall establish procedures to deal with
19 complaints, including the publication of complaint forms
20 and written materials ~~which~~ *that* shall be made available
21 to the public informing them of the functions of the
22 ~~Mobilehome Ombudsman~~ *ombudsman* and providing
23 information on manufactured homes and mobilehomes,
24 *and the establishment and publication of a toll-free*
25 *ombudsman complaint telephone number.*

26 (b) *The ombudsman shall designate two or more*
27 *persons who shall perform only the functions of the*
28 *ombudsman's office, including, but not limited to, taking*
29 *complaints and calls, reviewing correspondence,*
30 *providing information, and following through on*
31 *ombudsman complaints and the resolution of those*
32 *complaints. The ombudsman shall make it a priority to*
33 *handle telephone inquiries and complaints to the*
34 *ombudsman by personnel, rather than by answering*
35 *machines or recording devices.* ~~The~~

36 (c) *The* ombudsman shall work with, and coordinate
37 his or her efforts with, other divisions and sections of the
38 department and with other agencies of state and local
39 government.



1 (d) Notwithstanding Section 7550.5, the ombudsman
2 shall submit a written report to the appropriate
3 committees of the Legislature, including, but not limited
4 to, the Assembly Committee on Housing and Community
5 Development, the Senate Committee on Housing and
6 Community Development, and the Senate Select
7 Committee on Mobile and Manufactured Homes, on the
8 annual number of calls and complaints received by the
9 ombudsman by category, including the number of
10 complaints resolved and remaining unresolved by
11 category, by December 31 of each year.

12 SEC. 5. Section 18253.5 of the Health and Safety Code
13 is amended to read:

14 18253.5. (a) The department shall provide to each
15 mobilehome park licensed to operate under this part a
16 sign in large boldface print, with the name, address, and
17 telephone number of the ~~mobilehome ombudsman~~
18 *Manufactured Home Ombudsman* designated under
19 Chapter 9 (commencing with Section 18150) of Part 2.
20 The sign shall be posted *in a conspicuous place* by the
21 management in the mobilehome park clubhouse or, *if*
22 *there is no clubhouse*, in another ~~conspicuous~~ public
23 place within the mobilehome park *where it can be easily*
24 *seen by the homeowners and residents.*

25 (b) ~~(1)~~ The enforcement of the posting of the
26 ombudsman sign required by subdivision (a) may be
27 accomplished by telephonic or written communication,
28 or by site inspection in response to a specific complaint
29 concerning the posting of the sign, by site inspection in
30 response to a combination of complaints concerning the
31 posting of the sign and other alleged code violations, or
32 pursuant to the mobilehome park inspection program set
33 forth in Section 18400.1.

34 ~~(2) This section does not require that enforcement of~~
35 ~~its provisions be accomplished by site inspection of every~~
36 ~~mobilehome park, or reissuance of a new ombudsman~~
37 ~~sign to every mobilehome park in the enforcement~~
38 ~~agency's jurisdiction to ensure that the ombudsman signs~~
39 ~~required by this section are posted.~~



1 (c) Notwithstanding any other provision of this part,
2 a violation of this section is an infraction.

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