

WMA CONVENTION

2009

INDIAN WELLS

UPDATE ON NEW LAWS

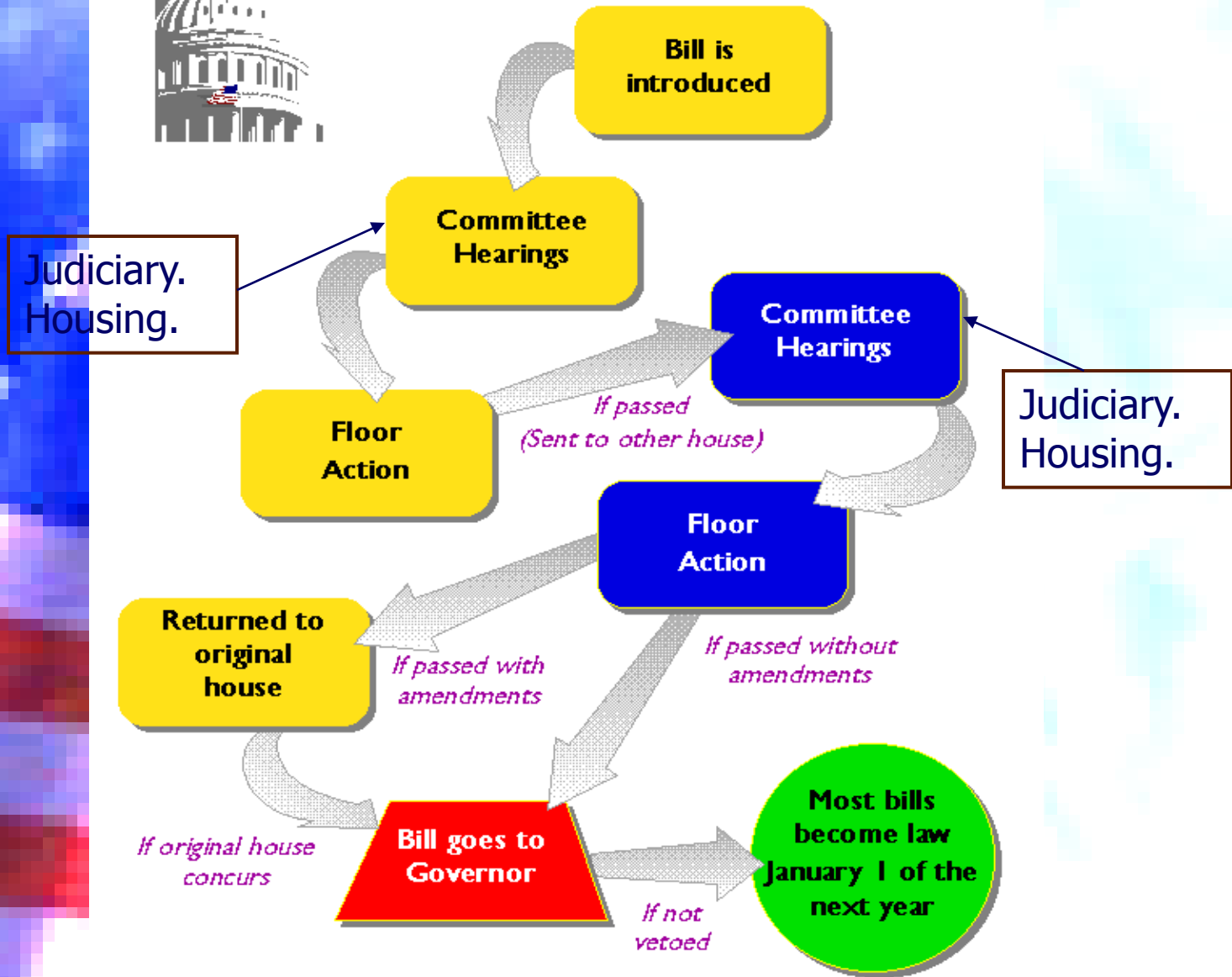
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How a Bill Becomes a Law



● **AB 566 (Nava) — Conversion of Parks to Resident Ownership**

- **An act to amend Govt. Code §66427.5, relating to mobilehome parks.**

- **This bill would expand one of the state requirements for a survey of resident support by providing the survey must show support of the majority of the residents in order for the converter to obtain a map from the local jurisdiction.**

● AB 566 (Nava) — Conversion of Parks to Resident Ownership (cont.'d)

- BILL GIVES CITY POWER TO DENY SUBDIVISION IF UNPOPULAR
- AUTHOR REFUSED TO WORK WITH WMA
- BESTOWS POWER ON TENANTS TO VETO SUBDIVISION UNLESS PRICE DEMANDS MET
- ART XI FORBIDS DELEGATING MUNICIPAL FUNCTIONS TO PRIVATE PPL, ESP. INTERESTED PERSONS
- VETOED? GOV. BROWN WILL SIGN IT!

- **AB 1020 (Emmerson) — Swimming Pools: Anti-entrapment device**

- **An act to amend Section 18942 of, and to add §§ 116064.1 and 116064.2 to, the Health and Safety Code, relating to swimming pools.**

- **AB 1020 implements the federal Virginia Graeme Baker Pool and Spa Safety Act, which establishes new mandated requirements to prevent entrapment in public pools and spas.**

● **SB 23 (Padilla) — Park Emergency Preparedness and Evacuation Plans**

- **An act to amend Health and Safety Code §§ 18603 and 18871.8, relating to manufactured housing.**
- **This bill requires that, on or before 09/02/10, mobilehome parks and special occupancy parks must adopt and post notice in a conspicuous park location of an “*emergency preparedness plan*” that may include either the 1997 plan adopted by the state Office of Emergency Services or any subsequent version, or an equivalent park plan.**

● SB 23 (Padilla) (cont.'d)

- A “*responsible person*” in each park with 50 or more spaces shall be designated by the park to be familiar with the plan, and parks shall notify new and existing residents on or after 09/01/10 of where the plan can be accessed.
- The bill states that HCD or a designated local enforcement agency may determine whether a park is in compliance with these requirements.
- SB 23 also provides that a park operator shall not be responsible for the physical evacuation of residents from their homes in an emergency, for which individual residents shall be responsible themselves.

- **SB 111 (Correa) — Mobilehome Residency Law Reorganization**

- **An act to amend §798.44 of, to amend and renumber §§798.29.5, 798.38, 798.40, and 798.42 of, to amend and renumber the heading of Art. 4 (commencing with §798.30) of Ch. 2.5 of Title 2 of Part 2 of Div. 2 of, and to add the heading of Art. 4 (commencing with §798.40) to Ch. 2.5 of Title 2 of Part 2 of Div. 2 of, the Civil Code.**

- **SB 111 groups certain existing sections of the MRL into a new Art. 4 entitled "Utilities" and replaces the word "tenant" with "resident" in Civil Code §798.44.**

● **SB 224 (Correa) — CalHome**

- **An act to amend H&S §§50650.3, .4, & 51504, declaring the urgency thereof, to take effect immediately.**

- **Provides that local agencies administering CalHome funds cannot discriminate in underwriting criteria, in making loans or grants to low-income homeowners solely on the basis that the home is a mobilehome or the home is located in a mobilehome park.**

- **The bill also clarifies that ignition resistant exterior components now required by HCD, as the result of recent wildfires, for mobilehomes located in wildfire urban interface zones, shall be eligible for the purposes of CalHome rehabilitation grants.**

Urgency Measure

● **SB 398 (Correa) — Fire Code Enforcement in Mobilehome Parks**

- **An act to amend Section 18691 of the Health and Safety Code, relating to mobilehomes.**
- **HCD has pre-emptive authority for health and safety (including fire) code enforcement in mobilehome parks, except that a local agency which takes on all park code enforcement for HCD may enforce its own fire code, or a local fire agency may assume jurisdiction for 10 limited fire code issues in parks, such as weed abatement or fire hydrants.**

● **SB 398 (Correa) — Fire Code Enforcement in MHPs (cont.'d)**

- **This bill would add 4 additional fire code categories for which a local fire agency may assume fire code enforcement jurisdiction in mobilehome parks, including combustible brush and vegetation clearance, flammable liquid storage, hazardous materials storage and use, and open burning.**
- **The bill would also clarify that a fire district has authority to enforce fire code in a mobilehome park if so delegated by the local enforcement city or county agency that has jurisdiction to enforce the Mobilehome Parks Act in parks.**

- **SB 804 (Leno) — Mh Sales:
Replacement Homes in Park, Ch. 66**

- **An act to amend Section 798.71 of the Civil Code, relating to mobilehomes.**

- **This bill prohibits park management from requiring a homeowner, who is replacing a mobilehome, on the space in the park in which the homeowner resides, from using a specific broker or dealer in the purchase or installation of the replacement home.**

● **ABX4 12 (Evans) State Budget Bill**

- **This is one of several state budget or budget trailer bills for 2009-2010.**
- **Among many other provisions this bill would increase the original HCD registration fee on mobilehomes and manufactured homes, and the annual renewal fee on VLF mobilehomes (pre-7/81 homes), by \$12 (from \$11 to \$23).**
- **The bill would also increase HCD's annual Permit to Operate (PTO) fee on mobilehome parks from the current \$25 to \$140 along with the per space fee from \$6 to \$13.**

● **SB 36 (Calderon) — Mortgage Loan Originator, License Requirements**

- **Brings California in compliance with the provisions of the Safe and Fair Enforcement of Mortgage Licensing (SAFE) Act.**
- **Prohibits any individual from engaging in the business as a mortgage loan originator without first obtaining and maintaining a loan originator's license.**

● **SB 36 (Calderon) — Mortgage Loan Originator (cont.'d)**

- **Provides that loan originators regulated by the Department of Real Estate will not need a loan originators' license until December 31, 2010.**
 - **Specifies that a loan originator licensed by the Department of Corporations will not need a loan originators license until July 1, 2010.**
- Urgency Measure**

● **SB 120 (Lowenthal) — Notice of Termination of Utilities in Master-Metered Parks**

- **An act to add §1942.2 to the Civil Code, and to amend §§777, 777.1, 10009, 10009.1, 12822, 12822.1, 16481, and 16481.1 of the Public Utilities Code, relating to residential tenancies.**
- **This bill provides that a regulated utility corporation, as well as a public utility district, providing heat, light or power, must notify renters, including occupants of master metered multi-unit dwellings and mobilehome parks, by mail as well as posting, of the termination of utility service due to the fact the landlord or park failed to pay the utility bill, 15 days prior to termination of utility service.**

● **SB 120 (Lowenthal) — Notice of Termination of Utilities (cont.'d)**

- **The bill also provides that if the corporation, public utility, or district allows residents of an individually metered or master metered multi-family dwelling, including a mobilehome park, to take over the accounts that were the obligation of the landlord or park owner, the residents may deduct their monthly utility charges from the landlord's or park's rent.**

● **SB 290 (Leno) - Conventional Tenancies — 60-day Notice of Termination**

- **An act to amend §1946.1 of the Civil Code, relating to tenancy**
- **Current law, in effect until 01/01/10, requires that an owner of a residential dwelling give at least 60 days' notice prior to termination, as specified, and at least 30 days' notice prior to termination if any tenant or resident has resided in the dwelling for less than one year.**

● **SB 290 (Leno) - Conventional Tenancies — 60-day Notice (cont.'d)**

- **SB 290 would delete the January 1, 2010 sunset date on these provisions, making them permanent.**
- **Mobilehome owners in parks already have a 60-day notice provision, but this bill may affect residents in mobilehome parks who do not own but rent their mobilehome as well as the space.**

● The Future in Sacramento



THE END

**THANK YOU,
WMA MEMBERS:**

For Your Continuing Support:

- **Advancing Park Owners' State Rights**
- **Defending Against Harmful State Laws**