

California Code of Regulations
Title 25. Housing and Community Development

Division 1. Housing and Community Development

Chapter 5. Registration and Titling of Manufactured Homes, Mobilehomes, Multi-Unit
Manufactured Housing, Commercial Modulares, Truck Campers, and Floating Homes

**Article 9. Foreclosures, Repossessions, Abandonments, Warehouseman's Liens, and Other
Involuntary Transfers**

(See First, § 5530. Changes to Registration of Used Manufactured Homes Mobilehomes,
Multi-Unit Manufactured Housing or Commercial Modulares Registered with the Department or
DMV -Dealer Participation Transfers.

(a) **A dealer shall apply for an amendment to the department or DMV registration, as applicable, for each used manufactured home, mobilehome, multi-unit manufactured housing or commercial modular sold, leased with an option to buy, or transferred by any other means by the dealer, and not installed as a real property unit, within 10 days after the date of sale or lease.** Transfers of such a unit to be installed as a real property unit are subject to reporting pursuant to Section 5611. The application for registration shall be submitted to the department, and shall meet the requirements of this Section.

(b) The application for registration shall include:

(1) a form HCD 480.3, a Dealer Report of Sale or Lease, Used Manufactured Home, Used Mobilehome, Used Multi-Unit Manufactured Housing, or Used Commercial Modular which meets the requirements of Section 5575, and the report of sale fees and, if applicable and not avoided pursuant to Section 5530.1, penalties and administrative service fees as required by Section 5575;

(2) unless the registration card for the unit is in the possession of the department pursuant to Section 5546.1, either:

(A) the registration card for the unit, or

(B) an application for a duplicate registration card as required by Section 5551;

(3) if a notice of escrow opening was required by Section 5571, a notification of escrow closing that meets the requirements of Section 5573;

(4) if the unit is a manufactured home, mobilehome or multi-unit manufactured housing subject to local property taxation, a tax clearance certificate or a conditional tax clearance certificate issued by the tax collector of the county where the unit is located, as required by Section 5547.1;

(5) for each legal owner and junior lienholder to be added to the unit's registration, the dealer shall submit legal owner identifying information and junior lienholder identifying information on the report of sale submitted pursuant to subsection 5530(b)(1); and

(6) for each legal owner or junior lienholder to be added to or removed from the unit's registration, the necessary title endorsements, statements or bonds and fees required by Article 8.

(c) The application for registration shall also include either:

(1) one of the following titling documents for the unit, endorsed to release the registered owner and report the new registered owner, or one of the alternatives to such endorsements, as required

by Section 5533:

- (A) a certificate of title;
 - (B) an ownership certificate, certificate of ownership or certificate of title issued by DMV; or
 - (C) an application for duplicate certificate of title which meets the requirements of Section 5550;
- or

(2) documents that reflect the transfer of the unit to the transferees, which may include the sales contract, purchase order, canceled checks or invoices, and a bond or undertaking and statement that comply with the requirements of Section 5547.

(d) The dealer shall also submit the following:

(1) to register a manufactured home, mobilehome or multi-unit manufactured housing subject to local property taxation:

(A) the Manufactured Home Recovery Fund Fee as specified in subsection 5660(s);

(B) all fees and penalties due and payable pursuant to Sections 18114 and 18114.1 of the Health and Safety Code; or

(2) to register a manufactured home, mobilehome, or multi-unit manufactured housing not subject to local property taxation:

(A) the Manufactured Home Recovery Fund Fee as specified in subsection 5660(s);

(B) all fees and penalties due and payable pursuant to Sections 18114, 18114.1, 18115, and 18116 of the Health and Safety Code; or

(3) to register a commercial modular: all fees and penalties due and payable pursuant to Sections 18114, 18115, and 18116 of the Health and Safety Code; and

(4) to register any unit: transfer fee as specified in subsection 5660(b) and, if applicable, transfer fee penalty as specified in subsection 5660(c);

Note: Authority cited: Sections 18015 and 18075, Health and Safety Code. Reference: Sections 18070.1(c), 18075.5, 18080.5, 18085, 18100.5, 18102.3, 18103, 18114, 18114.1, 18115, 18116, 18117.5 and 18123.5, Health and Safety Code.

HISTORY

1. New article 3 (sections 5530-5533) and section filed 12-31-97; operative 1-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 1).

2. Amendment filed 4-1-98; operative 4-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 14).

3. Change without regulatory effect amending section heading and subsections (a), (b)(1), (c)(1)(C) and (d)(3) filed 7-6-2007 pursuant to section 100, title 1, California Code of Regulations (Register 2007, No. 27).

This database is current through 9/5/14 Register 2014, No. 36
25 CCR § 5530, 25 CA ADC § 5530)

§ 5590. How to Report a New Unit Repossessed from a Dealer's Inventory.

(a) Within 20 calendar days after repossession of a new unit from a dealers inventory, the repossessing creditor shall submit an application for registration to the department which shall include:

(1) A statement signed under penalty of perjury by the repossessing creditor which shall include:

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- (A) the unit identifying information;
 - (B) the name and address of the reposessing creditor;
 - (C) the date of the security agreement;
 - (D) the name and address of the defaulting party;
 - (E) the name and address of the public or private sale buyer;
 - (F) the date of sale to the public or private sale buyer; and
 - (G) that the described unit has been reposessed and the collateral disposed of in accordance with the provisions of the security agreement or conditional sale contract, applicable law, and Division 9 (commencing with section 9101) of the Commercial Code.
- (2) Form HCD 483.0, Manufacturer's Certificate of Origin, version dated 7/97, signed on side two in the space designated for the "Release of Security Interest" by the same inventory creditor or lienholder shown on side one as the "Inventory Creditor."
- (3) The security agreement, as defined in subdivision (l) of Section 9105 of the Commercial Code, if the reposessing creditor is not shown on the form HCD 483.0 (MCO) as the inventory creditor of the unit.
- (4) A registration information document, as specified in Section 5541, completed and signed by:
- (A) the reposessing creditor; or
 - (B) the public or private sale buyer identified in the reposessing creditor's statement required by (a)(1)(E), above.
- (5) Payment of:
- (A) the Foreclosure/Repossession Fee specified in subsection 5660(d);
 - (B) the Foreclosure/Repossession Penalty, if required, specified in subsection 5660(e);
 - (C) the Lien Registration Service Fee specified in subsection 5660(m) for any lienholder added to the title record;
 - (D) use tax, if any party other than the reposessing creditor is reported as the new registered owner, as required by section 5667; and
 - (E) the Manufactured Home Recovery Fund Fee as specified in subsection 5660(s);
 - (F) all fees and penalties due and payable pursuant to Sections 18114, 18114.1, 18115, and 18116 of the Health and Safety Code.

Note: Authority cited: Sections 18015 and 18075, Health and Safety Code. Reference: Sections 18037.5, 18070.1(c), 18100.5(d), 18114, 18114.1, 18115 and 18116, Health and Safety Code.

HISTORY

1. New article 9 (sections 5590-5597) and section filed 12-31-97; operative 1-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 1).
2. New subsection (a)(5)(E), relettering and amendment of former subsection (a)(5)(E) to new subsection (a)(5)(F), and incorporation and amendment of former subsections (a)(5)(E)1.-5. into new subsection (a)(5)(F) filed 4-1-98; operative 4-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 14).

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25 CCR § 5590, 25 CA ADC § 5590

§ 5591. How to Report a Used Unit Acquired Through Foreclosure or Repossession.

- (a) Within 20 calendar days after foreclosure or repossession of a used unit by a legal owner or

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junior lienholder, the foreclosing or repossessing party shall submit an application for registration to the department which shall include:

(1) A statement signed under penalty of perjury by the foreclosing or repossessing creditor which shall include:

(A) the unit identifying information;

(B) the name and address of the foreclosing or repossessing creditor;

(C) the date of the security agreement;

(D) the name and address of the defaulting party;

(E) the name and address of the public or private sale buyer;

(F) the date of sale to the public or private sale buyer; and one of the following:

(G) if the unit is a commercial coach, that the unit was repossessed and the collateral disposed of in accordance with the provisions of the security agreement or conditional sale contract, applicable law, and Division 9 (commencing with section 9101) of the Commercial Code; or

(H) if the unit is not a commercial coach:

1. that the fair market value of the unit was \$1,000 or more at the time the security interest was created; and

2. that the Notices of Default, Belief of Abandonment, Sale, and/or Distribution of Proceeds, were executed in the manner prescribed by Section 18037.5 of the Health and Safety Code; or

(I) if the unit is a manufactured home, mobilehome, multi-unit manufactured housing and the loan for the unit is part of a real property loan:

1. that the loan for the named defaulting party and the described unit includes the real property on which the unit is installed; and

2. the Notices of Default, Sale, and Distribution of Proceeds were executed in conformance with Section 18039.1 of the Health and Safety Code; or

(J) if the unit was located out of state and the foreclosure or repossession took place out of state:

1. the state in which the foreclosure or repossession took place; and

2. that the applicable laws pertaining to foreclosure or repossession in that jurisdiction were followed.

(2) The titling document, endorsed as specified in Sections 5580, 5581, and 5533, with the releasing signature of the legal owner.

(3) A copy of the security agreement, as defined in subdivision (l) of Section 9105 of the Commercial Code, if the foreclosing or repossessing lienholder is not recorded on the permanent title of the unit.

(4) If the foreclosing or repossessing creditor is a junior lienholder, that party's Junior Lienholder's Registration Card and that of any superior junior lienholder, endorsed as specified in Sections 5584 and 5585, with the releasing signature of the junior lienholder(s).

(5) Tax clearance certificate or conditional tax clearance certificate as required by section 5547.1.

(6) Payment of:

(A) the Transfer Fee specified in subsection 5660(b);

(B) the Transfer Penalty Fee, if required, specified in subsection 5660(c);

(C) the Foreclosure/Repossession Fee specified in subsection 5660(d);

(D) the Foreclosure/Repossession Penalty, if required, specified in subsection 5660(e);

(E) the Lien Registration Service Fee specified in subsection 5660(m) for each lienholder added, deleted, or changed;

(F) use tax, if a party other than the foreclosing or repossessing creditor is reported as the new registered owner, as specified in section 5667; and

(G) the Manufactured Home Recovery Fund Fee as specified in subsection 5660(s);

(F) all fees and penalties due and payable pursuant to Sections 18114, 18114.1, 18115, and 18116 of the Health and Safety Code.

Note: Authority cited: Sections 18015 and 18075, Health and Safety Code. Reference: Section 18037.5, 18039.1, 18070.1(c), 18100.5(d), 18114, 18114.1, 18115 and 18116, Health and Safety Code.

HISTORY

1. New section filed 12-31-97; operative 1-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 1).

2. Amendment filed 4-1-98; operative 4-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 14).

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25 CCR § 5591, 25 CA ADC § 5591

§ 5592. How to Report a Unit Acquired at a Public Sale Authorized by a Governmental Entity.

(a) Within 20 calendar days after acquiring a unit at a public sale authorized by the Office of the State Controller or by an agency of the federal government, the acquiring party shall submit an application for registration which shall include:

(1) The Certificate of Sale or other document evidencing the sale, issued by the State Controller's Office, the United States Government, or an agency thereof.

(A) If the name stated on the Certificate of Sale or other document evidencing the sale as the person from whom the unit was seized or forfeited is different than the name of the registered owner recorded on the permanent title record, a chain of ownership is required.

(2) The titling document, with the releasing signature of the legal owner, if any, recorded on the permanent title record; or

(3) The last-issued registered owner's registration card, if available.

(4) The Junior Lienholder Registration Card(s), if any, with the releasing signature(s) of any junior lienholder(s) recorded on the permanent title record.

(5) Tax clearance certificate or conditional tax clearance certificate as required by section 5547.1.

(6) Payment of:

(A) the Transfer Fee specified in subsection 5660(b);

(B) the Transfer Penalty Fee, if required, specified in subsection 5660(c);

(C) the Lien Registration Service Fee specified in subsection 5660(m) for each lienholder added, deleted, or changed;

(D) use tax, as required by section 5667; and

(E) the Manufactured Home Recovery Fund Fee as specified in subsection 5660(s);

(F) all fees and penalties due and payable pursuant to Sections 18114, 18114.1, 18115, and 18116 of the Health and Safety Code.

Note: Authority cited: Sections 18015 and 18075, Health and Safety Code. Reference: Sections 18100.5(d), 18070.1(c), 18114, 18114.1, 18115 and 18116, Health and Safety Code.

HISTORY

1. New section filed 12-31-97; operative 1-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 1).

2. New subsection (a)(5)(E), relettering and amendment of former subsection (a)(5)(E) to new subsection (a)(5)(F), and incorporation and amendment of former subsections (a)(5)(E)1.-5. into new subsection (a)(5)(F) filed 4-1-98; operative 4-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 14).

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25 CCR § 5592, 25 CA ADC § 5592

§ 5593. How to Report a Unit Acquired Through a Court Judgment.

(a) Within 20 calendar days after acquiring a unit as a result of a court judgment, the acquiring party shall submit an application for registration to the department which shall include:

(1) A certified copy of the filed judgment or court order which directs the disposition of the unit.

(A) If the court judgment does not contain a complete description of the unit, the application shall include a statement signed under penalty of perjury by the applicant which includes:

1. the unit identifying information.

2. that the unit awarded in the court order is the unit described in the application submitted to the department.

(2) The titling document, with a release signed by each party or entity recorded on the permanent title who is not a party to the judgment.

(3) The last-issued registered owner's registration card, if available.

(4) Tax clearance certificate or conditional tax clearance certificate as required by section 5547.1.

(5) Payment of:

(A) the Transfer Fee specified in subsection 5660(b);

(B) the Transfer Penalty Fee, if required, specified in subsection 5660(c);

(C) the Lien Registration Service Fee specified in subsection 5660(m) for each lienholder added, deleted, or changed; and

(D) the Manufactured Home Recovery Fund Fee as specified in subsection 5660(s);

(E) all fees and penalties due and payable pursuant to Sections 18114, 18114.1, 18115, and 18116 of the Health and Safety Code.

(b) At least 61 calendar days after the judgment was filed, the applicant shall submit:

(1) a certification by the clerk of the court, dated at least 61 calendar days after the date judgment was filed, which states that no appeal from the judgment has been filed, and that the time for filing an appeal has now elapsed; or

(2) a statement signed under penalty of perjury by the applicant, executed at least 61 days after the date the judgment was filed, which includes:

(A) the unit identifying information; and

(B) that no appeal from the judgment has been filed or motion for new trial has been granted.

Note: Authority cited: Sections 18015 and 18075, Health and Safety Code. Reference: Sections 18100.5(d), 18070.1(c), 18114, 18114.1, 18115 and 18116, Health and Safety Code.

HISTORY

1. New section filed 12-31-97; operative 1-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 1).

2. New subsection (a)(5)(D), relettering and amendment of former subsection (a)(5)(D) to new subsection (a)(5)(E), and incorporation and amendment of former subsections (a)(5)(D)1.-5. into new subsection (a)(5)(E) filed 4-1-98; operative 4-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 14).

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25 CCR § 5593, 25 CA ADC § 5593

§ 5594. How to Report a Unit Acquired at an Attachment Sale.

(a) Within 20 calendar days after acquiring a unit at an attachment sale, the acquiring party shall submit an application for registration which shall include:

(1) The titling document, with the releasing signature of the legal owner, if any.

(2) The Junior Lienholder Registration Card(s), if any, with the releasing signature of the junior lienholder(s).

(3) The Certificate of Sale issued by the levying Officer which shall include:

(A) the unit identifying information; and

(B) the names and addresses of the purchaser, the plaintiff/judgment creditor, and the defendant/judgment debtor.

1. If the name of the defendant/judgment debtor is not the same as the name of the registered owner recorded on the permanent title record, a chain of ownership shall be submitted.

(4) The last-issued registered owner's registration card, if available.

(5) Tax clearance certificate or conditional tax clearance certificate as required by section 5547.1.

(6) Payment of:

(A) the Transfer Fee specified in subsection 5660(b);

(B) the Transfer Penalty Fee, if required, specified in subsection 5660(c);

(C) the Lien Registration Service Fee specified in subsection 5660(m) for each lienholder added, deleted, or changed;

(D) use tax, as required by section 5667; and

(E) the Manufactured Home Recovery Fund Fee as specified in subsection 5660(s),

(F) all fees and penalties due and payable pursuant to Sections 18114, 18114.1, 18115, and 18116 of the Health and Safety Code.

Note: Authority cited: Sections 18015 and 18075, Health and Safety Code. Reference: Sections 18100.5(d), 18070.1(c), 18114, 18114.1, 18115 and 18116, Health and Safety Code.

HISTORY

1. New section filed 12-31-97; operative 1-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 1).
2. New subsection (a)(5)(E), relettering and amendment of former subsection (a)(5)(E) to new subsection (a)(5)(F), and incorporation and amendment of former subsections (a)(5)(E)1.-5. into new subsection (a)(5)(F) filed 4-1-98; operative 4-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 14).

This database is current through 9/5/14 Register 2014, No. 36
25 CCR § 5594, 25 CA ADC § 5594

§ 5595. How to File a Judgment Lien on a Manufactured Home, Mobilehome, or Multi-unit Manufactured Housing.

(a) The department shall record a judgment lien against a manufactured home, mobilehome, or multi-unit manufactured housing in favor of a mobilehome park owner upon submittal of:

(1) A certified copy of:

(A) the money judgment filed in favor of the mobilehome park against all registered owner(s) of the unit for unpaid rent; or

(B) the abstract of the money judgment.

(C) The money judgment or abstract shall be accepted after the following appeal time periods have elapsed, without an appeal having been filed:

1. 180 days from the date the judgment was rendered and filed with the court; or

2. 61 days since the Notice of Entry of Judgment was mailed to the judgment debtor, as evidenced by a filed Proof of Service.

(2) A chain of ownership, if the judgment debtor is not the registered owner of record.

(3) A statement signed under penalty of perjury by the mobilehome park owner which includes:

(A) the unit identifying information;

(B) that the mobilehome park has not received any notice that an appeal has been filed against the money judgment.

(4) A registration information document, as specified in subsection 5541(b), which includes:

(A) if there is no legal owner recorded on the permanent title record, the name and address of the mobilehome park entered in the area designated for the "Legal owner;" or

(B) if there is a legal owner recorded on the permanent title record, the name and address of the mobilehome park entered in the area designated for the "Junior lienholder."

(5) Payment of:

(A) the Lien Registration Service Fee specified in subsection 5660(m);

(B) applicable fees and penalties specified in Sections 18114, 18114.1, 18115, and 18116 of the Health and Safety Code.

Note: Authority cited: Sections 18015 and 18075, Health and Safety Code. Reference: Sections 18080.9, 18114, 18114.1, 18115 and 18116, Health and Safety Code.

§ 5596. How to Report a Unit Acquired at a Public Sale of an Abandoned Manufactured Home, Mobilehome, or Multi-Unit Manufactured Housing Located in a Mobilehome Park.

(a) Within 20 calendar days after acquiring an abandoned manufactured home, mobilehome, or multi-unit manufactured housing located in a mobilehome park at a public sale, the acquiring party shall submit an application for registration to the department which shall include:

(1) A statement signed under penalty of perjury by the mobilehome park owner, which shall include:

(A) the unit identifying information;

(B) the names and addresses of the judgment creditor (the mobilehome park) and the judgment debtor(s) (the registered owner(s));

(C) the situs address of the unit;

(D) the name and address of the public sale buyer(s);

(E) the date of the public sale;

(F) that the mobilehome park/judgment creditor has complied with all the terms and conditions outlined in the Civil Code and Code of Civil Procedures for the sale of the unit; and

(2) A certified copy of the judgment of abandonment issued against the unit by a court of competent jurisdiction.

(3) If the new registered owner is different than the public sale buyer, a Bill of Sale from the public sale buyer to the new registered owner.

(4) A registration information document, as specified in subsection 5541(b), completed and signed by the public sale buyer.

(5) Tax clearance certificate or conditional tax clearance certificate as required by section 5547.1.

(6) Payment of:

(A) the Transfer Fee specified in subsection 5660(b);

(B) the Transfer Fee Penalty, if required, specified in subsection 5660(c);

(C) the Lien Registration Service Fee specified in subsection 5660(m) for each lienholder added, deleted, or changed;

(D) use tax, as required by section 5667;

1. If the mobilehome park is the public sale buyer, use tax is based on the value guide in effect at the time of the public sale, or the park may submit a BT111 form from the Board of Equalization.

(E) the Manufactured Home Recovery Fund Fee as specified in subsection 5660(s);

(F) all fees and penalties due and payable pursuant to Section 18114, 18114.1, 18115, and 18116 of the Health and Safety Code.

Note: Authority cited: Sections 18015 and 18075, Health and Safety Code. Reference: Section 798.61, Civil Code; and Sections 18070.1(c), 18075.5, 18100.5(d), 18114, 18114.1, 18115 and 18116, Health and Safety Code.

HISTORY

1. New section filed 12-31-97; operative 1-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 1).

2. New subsection (a)(5)(E), relettering and amendment of former subsection (a)(5)(E) to new subsection (a)(5)(F), and incorporation and amendment of former subsections (a)(5)(E)1.-5. into

new subsection (a)(5)(F) filed 4-1-98; operative 4-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 14).

This database is current through 9/5/14 Register 2014, No. 36
25 CCR § 5596, 25 CA ADC § 5596

§ 5597. How to Report a Unit Acquired at a Warehouseman's Lien Sale.

(a) Within 20 calendar days after acquiring a manufactured home, mobilehome, or multi-unit manufactured housing at a sale held by a mobilehome park to enforce a warehouseman's lien, the acquiring party shall submit an application for registration to the department which shall include:

(1) a statement signed under penalty of perjury by the mobilehome park owner which shall include:

(A) the unit identifying information;

(B) the name and address of the mobilehome park;

(C) the name and address of each registered owner;

(D) the situs address of the unit;

(E) the legal owner and junior lienholder(s) name(s) and address(es), if any;

(F) the date the termination notice was mailed to the registered owner(s).

(G) the name and address of the public or private sale buyer.

(H) the date of the public or private sale.

(I) that the mobilehome park notified the legal owner and all junior lienholders (if any) of the action, in accordance with Section 798.56a of the Civil Code and Section 7210 of the Commercial Code; and

(J) that all the terms and conditions outlined in the Civil Code and Commercial Code for the sale of the unit have been met.

(2) The titling document.

(3) The last-issued registered owner's registration card, if available.

(4) If the new registered owner is a different person than the buyer at the public or private sale, a Bill of Sale from the buyer to the current owner.

(5) Payment of:

(A) the Transfer Fee specified in subsection 5660(b);

(B) the Transfer Fee Penalty, if required, specified in subsection 5660(c);

(C) the Lien Registration Service Fee specified in subsection 5660(m) for each lienholder added, deleted, or changed;

(D) use tax, as required by section 5667;

1. If the mobilehome park is the public sale buyer, use tax is based on the value guide in effect at the time of the public sale, or the park may submit a BT111 form from the Board of Equalization. And,

(E) the Manufactured Home Recovery Fund Fee as specified in subsection 5660(s);

(F) all fees and penalties due and payable pursuant to Sections 18114, 18114.1, 18115, and 18116 of the Health and Safety Code.

Note: Authority cited: Sections 18015 and 18075, Health and Safety Code. Reference: Section 798.56a(e), Civil Code; and Sections 18070.1(c), 18075.5, 18100.5(d), 18102.5, 18114, 18114.1, 18115, 18116 and 18123, Health and Safety Code.

HISTORY

1. New section filed 12-31-97; operative 1-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 1).
2. New subsection (a)(5)(E), relettering and amendment of former subsection (a)(5)(E) to new subsection (a)(5)(F), and incorporation and amendment of former subsections (a)(5)(E)1.-5. into new subsection (a)(5)(F) filed 4-1-98; operative 4-1-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 14).

This database is current through 9/5/14 Register 2014, No. 36
25 CCR § 5597, 25 CA ADC § 5597