

Assemblymember Steve Bennett

37th Assembly District



AB 861: Manufactured Home Parks

SUMMARY

Assembly Bill (AB) 861 would codify an Attorney General opinion clarifying that any rule established by the owner of a Manufactured Home Park regarding subleasing or renting a space, or unit, applies equally to owners/management and park residents.

BACKGROUND

As of 2020, according to the California Department of Housing and Community Development, there are 5,244 active manufactured home and RV parks (parks) in the state of California. These parks include 452,261 units containing over 2 million manufactured home residents, the second most parks in the country.

Out of these 2 million residents, 45% of them are either young adults between the ages of 18 and 29 or seniors between the ages of 50 and 59. Additionally, the average household income of park residents is about \$35,000, making it even more important to protect park residents' rights. Manufactured homes are an affordable option for park residents and terminating their tenancy proves to be devastating for a number of reasons.

Park residents have a monumental difference in risk associated with being evicted from a mobile home compared to other renters. For example, unlike apartment tenants, park residents would be burdened with the expensive towing fee that comes with removing their home from the park property.

The Mobilehome Residency Law (MRL) was enacted in 1978 as a separate piece of landlord-tenant law in recognition of the unique circumstances of park residents. It states that park management may rent out manufactured homes, but cannot end a current resident's tenancy to do so. The MRL also states that park management has the authority to prevent homeowners from renting out their own manufactured

homes or subletting the space where their mobile homes are located.

In 2013, then-Attorney General Kamala Harris concluded that park management must abide by the rules they set for their residents, including rules regarding renting or subletting. Park management may be interested in subleasing their spaces for any variety of reasons, but a common reason is to house their employees. Attorney General Harris determined that this sole reason for subleasing is permissible for park management.

THIS BILL

AB 861 would codify the Attorney General opinion stating that park management is required to comply with all park rules relating to renting and subleasing manufactured homes and units. This bill ensures that park management complies with any rule they make, and does not limit their ability to rent or sublease, absent any park rule. Management would also still be able to rent or sublease to a park employee.

AB 861 provides parity between park management and park residents, preventing an unfair double standard.

SUPPORT

Golden State Mobile Home Owners League

OPPOSITION

None.

CONTACT

Alchemy Graham ♦ Assembly Fellow
(916) 319-2037 ♦ (916) 319-2137 (fax)
Alchemy.Graham@asm.ca.gov