GOLDEN STATE MANUFACTURED – HOME OWNERS LEAGUE

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To: All GSMOL Leaders/Members **Date: January 13, 2025**

From: Bruce Stanton, Corporate Counsel

Re: AB 2782: Repeal of the Civil Code 798.17 Long-Term Lease Exemption

*****Important Alert re: Key Change in the Mobilehome Residency Law *****

Introduction: GSMOL-Sponsored AB 2782 was signed into law and took effect January 1, 2020. It included an important change to the long-term lease exemption from local mobilehome rent stabilization ordinances (RSO) contained in the Civil Code Mobilehome Residency Law (MRL), summarized as follows:

Civil Code 798.17 has long provided that leases exceeding 12 months in length are exempt from local RSO protection. AB 2782 phases out this exemption, and provides that:

1. All leases of any length signed after February 13, 2020 are no longer exempt from local RSO, and RSO rent limitations will apply to protect those residents regardless of what the lease rent provisions say. The RSO will pre-empt the financial provisions in those leases.
2. All leases with a term 12 months or longer signed prior to February 13, 2020 remained exempt from RSO until they expired, or until January 1, 2025, whichever occurred first. **As of January 1, 2025 ALL leases of any length are no longer exempt from local RSO protections under State law, and Civil Code 798.17 is repealed. The local RSO will now apply to ALL lease spaces.**

The park owners' association (WMA) filed suit against the State of California and sought an injunction to stop the AB 2782 January 1, 2025 "repeal" date from happening. That motion was denied by the Court. Thus, as of January 1, 2025, **ALL** leases of any length are no longer exempt from local RSO under State law. Civil Code 798.17 is repealed, and local RSO provisions now apply in those cities and counties that have an RSO.

GSMOL leaders have received the following questions re: the effects of AB2782:

Q: My park owner is requiring me to sign a new rental agreement, claiming AB2782 has "invalidated" my existing lease or rental agreement. Is this true?

A: NO! AB2782 only affects the financial provisions in your rental agreement or lease if you live in an RSO jurisdiction. It does not repeal or invalidate your existing agreement. All other non-financial provisions of the agreement continue in effect. The MRL does not require a homeowner to ever sign a new agreement after they sign their original agreement at time of purchase.

Q: Should I contact my local City or County officials about this Civil Code 798.17 repeal?

A: YES! It is important that you notify your local officials if you live in an RSO jurisdiction of this repeal, so that they can be aware of it and take any appropriate action. Please provide this Alert to your City Council, Rent Administrator or County officials if you have a County RSO. Ending the State exemption means that any exemptions contained in local RSO language will now apply. Your City or County may need to amend their Ordinance or policies to clarify, or align their RSO language with the new State law. It is important that local officials know and understand that their RSO rent provisions now apply to ALL leases.