

Golden State Manufactured-Home Owners Education Fund presents a

VIRTUAL TOWNHALL

Saturday, November 21, 2025

Featuring BRUCE STANTON, GSMOL Corporate Counsel

Bruce Stanton, GSMOL's Corporate Attorney introduced himself and explained that GSMOEF, otherwise known as The "Ed Fund" was sponsoring this Townhall Meeting. The Ed Fund is a non-profit 501(C)3 organization formed by GSMOL over 11 years ago. It is a charitable and educational organization and donations to the Ed Fund are tax deductible. GSMOL is a 501(C)4 organization that is allowed to lobby and participate in initiatives and political campaigns. Donations to GSMOL are not tax deductible. Both organizations work to support the rights and security of mobilehome residents in California.

The format of the Townhall is for Bruce Stanton to review bills which amend the Mobilehome Residency Law (MRL) that are helpful to mobilehome residents and bills that are hurtful. A Q&A session would follow so GSMOL members could ask their questions. The MRL is non-waivable consumer protection law. It is our bible! *A resident cannot protect their rights if they do not know their rights!*

AB 456 (Connolly): Mobilehome Home Sales: This bill targets problems with mobilehome resale when management does not timely respond to requests for repairs or to the buyer's application for tenancy. The bill extends time for management to respond to a seller's request to obtain a list of required upgrades from 10 to 15 days, and if there is no response management is deemed to have waived its right to require any resale repairs or upgrades. (Civil Code 798.73.5). There have been problems when management waits until just before escrow closes before presenting a homeowner a list of necessary repairs, denying enough time to object and respond. Pursuant to Civil Code 798.73.5, only repairs to the exterior of the home are allowed: not the interior. Civil Code 798.74 is also amended by the bill. Sales are delayed or prevented when a park withholds tenancy approval after receiving an application form a prospective purchaser until late in the transaction, then requires more information, giving parties no time to respond before close of escrow. Or management may simply fail to process the application at all, leaving the parties in limbo. AB 456 states if the park does not respond within 15 business days, their silence is deemed to have approved the purchaser. If they snooze, they lose! AB 456 passed and will become effective January 1, 2026.

AB 391: This bill allows a park owner to send information electronically, by email, if the resident agrees. It does not change the obligation to send a hard copy to those homeowners who do not agree to electronic transmission. Some residents do not have a computer.

AB 806. Pertains to cooling systems. Any rule which flatly prohibits installation, upgrade or replacement of a cooling system, such as air conditioning, a window air conditioner, a swamp

cooler etc. is illegal. An exception is made if the park does not have sufficient electrical infrastructure to accommodate the system, or if the unit violates permit requirements.

SB 610 Increases protections for homeowners if there is a Declaration of Emergency following a disaster that destroys their home and the entire park. If tenant's space is destroyed by fire and management rebuilds the park, tenant must be offered renewed tenancy or right of first refusal if the park rebuilds; mortgage lenders cannot foreclose on affected residents; prepaid rent must be returned; failure to pay rent is extended; rent increases are limited. Unless local zoning is in place that requires land to be used as a mobilehome park (which a park owner can request be rezoned), it is very difficult to pass legislation to require a land owner to rebuild his land as a mobilehome park. Additional protections will need to be considered in the future.

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Q&A Session: Attorney Bruce Stanton answers resident's questions.

1. Bruce addressed issues facing homeowners in parks destroyed by the LA fires. He discussed the challenges and considerations surrounding park owners' decisions to rebuild after a natural disaster, noting the lack of a time limit for such decisions. While residents may feel uncertain about when a decision to rebuild will be made, park owners face complex issues like insurance claims and soils remediation that could delay rebuilding. He also addressed questions about trust ownership and inheritance rights, clarifying that while a mobilehome personal property structure can be placed in trust to avoid probate, lease rights are not an asset which can be transferred by inheritance. If an heir wants to live in the home, they must apply for tenancy after the homeowner's death - or they can sell the home in place. (Civil Code 798.78) An heir does not have the right to put a new home on a lot after a fire: the right to rebuild and renewal of tenancy is personal to the homeowner. Residents cannot hold their lots in trust after a disaster because they do not own the land, only the homes. While trusts can be beneficial for estate planning, they do not alter the rights or obligations related to park tenancy.
2. **Can a park require a mobilehome to be removed as a condition of sale?** MRL 798.73 allows removal of certain mobilehomes upon resale only if it is so run down that it violates health and safety laws and cannot be repaired. And the burden of proof is on the park owner. If it is believed that management might seek to require the home to be removed from the park as a condition of resale, it is advisable to get a full inspection before putting the home up for sale even though the park owner cannot inspect the interior. Be proactive and address issues inside and outside, then present the report to the park and ask them to tell you how they will meet their burden of proof to show that the home is substantially rundown or in disrepair. If there is a dispute, file your complaint with HCD through the MRLPP (MRL Protection Program). HCD will triage the complaint and may refer you to a low cost, non-profit LSP (Legal Service Provider). Or you can hire an attorney. You can sue for lost profit if the park interferes.

3. **Can a homeowner sell to a contractor who will fix the house then sell it?** Occasionally a park will allow the buyer to complete repairs after close of escrow, but seldom will they allow a sale to a contractor who will fix it and sell it, i.e., flip the home.
4. **Can my park pass-through capital improvements?** A park may legally assess pass-throughs, including property taxes. Residents previously challenged their legality and courts have ruled that pass throughs are legal. Many RSO (Rent Stabilization Ordinances) have a separate provision for pass throughs that are amortized until the cost is reimbursed. The pass-through must be a separate line item and not part of the rent. Residents should ask for documentation that the work was actually done, and the work must actually benefit them. You can make a “deferred maintenance” argument if assessment is for repairs that the park should have made in prior years and did not.
5. **What can I do if my park owner continues to file rent increase petitions raising my rent and I live in a rent-controlled jurisdiction?** We are seeing more instances where a park is sold, and there is an immediate notice of rent increase even in a jurisdiction that has an ordinance. For an RSO to be constitutional it must include a “fair return” provision, which may be activated if the park owner feels its costs are not keeping up with inflation and profit is eroded. He must then open up his books. Even though it is not a trial, a hearing requires an attorney and experts. To be prepared residents are urged to organize, unite, and prepare for potential legal battles by building a war chest to fund defenses against such petitions. The city does not do it for you! Appeals from a hearing can go to the local superior court and then the city becomes the defendant and residents are real parties of interest. If a park cannot defeat an RSO on its face, there is an increasing trend of park owners to file rent increase petitions in rent-controlled jurisdictions to bleed residents dry of their funds and interests. Petaluma is ground zero for such actions.
6. **Our former HOA treasurer refuses to turn over financial records. What can we do?** A treasurer must be accountable; he is the caretaker of the account not the owner. Make a written demand. Vote him out of office. Consider court action.
7. **I am selling my home and park is requiring me to repair a decrepit fence I share with four neighbors. What can I do?** At a point of sale, you cannot be made to make improvements to the land, retaining walls, grading soil or remove trees etc. But a fence is a grey area and depends on the nature of the fence and how it is attached to the land. Is it part of the land or on top? Usually, a repair is permissible although replacing it is more significant. If the fence is a privacy fence, often called a ‘good neighbor’ fence, and is on the lot line, each of the adjoining owners own 50% so both might be responsible.
8. **What are chances of enacting a state-wide rent control for mobilehomes in 2026? Will GSMOL sponsor it?** There have been attempts for decades to legislate state wide legislation with not much traction. It is a tough bill to pass. Rather than a state wide ordinance, a local ordinance is preferable since it can respond to differing local needs.

There is concern how a statewide agency will be able to provide oversight of the differing needs of many different local communities. Concern that passing state legislation could hurt existing RSOs. The idea is still percolating. GSMOL will continue to monitor.

9. **Manager continues to prohibit air conditioners despite passage of AB 806 allowing them. What can I do?** Such absolute bans are now unenforceable under the law. Park owners should communicate this change in the law to residents. If residents are afraid of management, get the word out to all residents. Ask park to issue a policy memo saying that rule of the park will no longer be enforced.
10. **Is it likely we will prevail objecting to a pass-through in our park?** Pass throughs are conceptually legal, but residents can challenge improper implementations or calculations through forensic accounting. A pass-through charge must be separately stated and not part of the base rent. It must have an end date. A temporary pass through is preferable to an increase in base rent that never goes away, where the reason is based upon a one-time non-recurring capital expense.
11. **There is a pass-through amount on our monthly bill. Can we get an accounting for that number?** Yes. If your lease allows a pass-through, there is an implied covenant of good faith and fair dealing in all contracts which requires the park must provide details. Ask management for verifying information.
12. **We received a pass-through of property tax. It was initially itemized but now is enmeshed in our rent. Is this legal?** A property tax may stay on the bill as a permanent pass through, but it should be a separately stated line item.
13. In response to a technical question about AB 610, Bruce affirmed that no local ordinance or park rule can contravene state law. The MRL is a non-waivable consumer protection law. No park can opt out of it.
14. **Park has doubled space rent to the buyer of my home. Can he do it?** If you have a local RSO, it will determine allowable rent increases on resale. If the RSO has Vacancy Control it will determine how much, if any, the park owner can raise the space rent to your buyer. Vacancy Control protects your equity; for every \$100 rent goes up, the equity in your home goes down \$10,000 (in high density areas). If you do not have an RSO, the park can raise the space rent however much they want. In RSO jurisdictions, where eviction, foreclosure or abandonment occurs, space rent becomes “decontrolled” and can be raised however much the park wants.
15. **Does SB 79 affect mobilehome parks?** AB 79 allows high density housing next to public transit. The problem is it might greenlight getting rid of parks because park owners might see a higher profit if they use their land differently. There are ongoing discussions

about an amendment to SB 79 to exempt mobilehome parks but no legislative action has been introduced yet.

16. **Management is interfering with selling my home saying it is pre-HUD. What can I do?** Pre-HUD allegations would have to presume interior conditions and a park cannot require an inside inspection. Civil Code 798.73 allows repairs only to the outside, not the inside. Park must prove that the home is unsafe. Get a full inspection so you have ammunition to show the park owner.
17. **My park's new Rules and Regulations say I am responsible for ensuring that drainage on my homesite is correct so water drains away from the homesite and may include regrading of the lot if the present grade does not meet these requirements. And the existing grading may not be changed without the park's written consent. Is this my responsibility or the parks? File a complaint with HCD immediately. They will require the park to be responsible. You do not own the land and have no ability to fix it without their approval. Unless the resident caused an issue, it is always the park's responsibility. Don't sign the Rules and Regulations. It is unenforceable.**
18. **Park is giving us a credit for capital improvements.** You should have documentation of any subsidy program. It is voluntary and can go away anytime and does not necessarily transfer to a new owner. Some park owners offer this this because they want to show less income in anticipation of filing a rent petition. After be awarded a rent increase the subsidy might be withdrawn by management.
19. **Our pass-through for a property tax is no longer itemized and is now included as rent.** Any pass-through amount should remain separate so that it is not included in calculating a base rent increase. It should not be added to base rent but should be a separate line item. It should not be included in the base amount, especially in an RSO jurisdiction. It may make no practical difference in a non-rent-controlled park, but still, it should be separate.
20. **If a park installs surveillance cameras and recordings devices in the clubhouse, can they covertly record resident's conversations?** There is no right of privacy in common areas. A video camera can lawfully record both voices or video.

President Anne Anderson thanked the nearly 100 residents who attended this Zoom Townhall. In addition to the expertise of Bruce Stanton, GSMOL members can contact their GSMOL Regional Manager or Zone VP for assistance. And our website offers many resources. Go to gsmol.org. To stand up for your rights, you must know your rights! Your rights are spelled out in the MRL. You can download a copy at gsmol.org: click on Resources in the menu bar; then click on MRL 2025.