

**Protecting Low-Income Residents in Mobilehome Parks**

LAAC 2008 Webinar Series  
Western Center on Law & Poverty  
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**Discussion**

- Type of residency
  
- Resident protections under the Mobilehome Residency Law
  
- Threatened/Actual conversions

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**What is a mobilehome park?**

- Land where *two or more* mobilehome sites are rented, available for rent or previously rented
  - MRL, Civil Code §§ 798.4, 798.6
  - Mobilehome Parks Act, H&S Code § 18214
  
- *Distinguish*
  - Recreation Vehicle (RV) Park
  - Employee Housing
  - Manufactured Housing



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## Recreational Vehicle (RV) Park Occupancy Law



- “Recreational” vehicles
- “Intended for temporary use”
  - Resident rights dependant on length of stay
- Applicable code sections:
  - Civil Code § 799.20
  - Health & Safety Code § 18010

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## Employee Housing Act

- Agricultural zoning
- Permit to operate = employment
- Applicable code sections:
  - Health & Safety Code §§ 17000 et seq.; 18214(c)



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## Manufactured housing



- Interchangeable terms
- Complies with federal v. state building standards
- Applicable law:
  - 42 USC §5401 et seq.
  - Health & Safety Code § 18214(c)

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## Mobilehome Residency Law (MRL)

- Codified at Civil Code §§ 798-799.9
- Covers
  - Mobilehomes and similar structures:
    - manufactured homes
    - trailers and some recreational vehicles
- Located in a *mobilehome park*
- Residents:
  - “owners”
  - “tenants”



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## MRL protections for owners

- Initial disclosures
- Mandatory lease/rental agreement provisions (§798.15)
- Park “Rules and Regulations” (§798.23)
  - Amendments (§798.25(b))
  - *Rancho Santa Paula Mobilehome Park v. Evans*, 26 Cal. App. 4<sup>th</sup> 1139 (1994)
- Notice of potential sale of park (§798.80)

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- Limitations on fees (§§ 798.31 – 798.44)
  - Utilities and services
  - Family, friends and other guests
  - Pet facilities
- Pets (§798.33(c))
  - “one pet rule”
  - fair housing issues



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- Rent increases (§798.30)
  - *Vance v. Villa Park Mobilehome Estates*, 36 Cal. App. 4<sup>th</sup> 698, 708 (1995)
  - but consider local rent control ordinances
  - but see § 798.45
  
- Terminating the tenancy (§798.56)
  - 60 days notice & “cause” required
  - Condemnation / eminent domain
  - Change of use
    - Special notice requirements




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**Potential (or actual) park conversions**

- Determine:
  - applicable laws or policies
  - appropriate advocacy method
  - residents’ ability to purchase

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**(1) Applicable laws**

- Local ordinances
- Community Redevelopment Law (H&S §§ 33000 et seq.)
- Housing Element law (Gov’t Code 65583)
- General Plan law (Gov’t Code 65300 et seq.)
- Relocation laws (state and federal)
- Fair housing laws (state and federal)

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## (2) Advocacy method: litigation



- Goal:
- Enjoin sale for proper notice
  - Mandate:
    - Replacement housing
    - Preservation obligations
  - Damages
    - Relocation
    - Fair housing
  - Compel resident purchase

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## Advocacy method: informal



- Local Ordinances
  - Relocation
  - Anti-conversion
  - Extended notice period
  - Rent control
- Policy guidelines
  - Housing element
  - Land Use element
  - Anti-gentrification strategies

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## (3) Resident purchase

- Focus: preservation of affordable housing
- Mobilehome Park Resident Ownership Program:
  - low income residents to purchase park, share of park or space
- Law:
  - CC §§ 798.80; 799 et seq.
  - 25 CCR 8000



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## Important Contacts

- Mobilehome owners advocates:
  - Coalition of Mobilehome Owners - California:  
<http://www.comocal.org/>
  - Golden State Manufactured-Home Owners League:  
<http://www.gsmol.org/>
- CA Housing and Community Development (HCD):
  - State Mobilehome Ombudsman:  
<http://www.hcd.ca.gov/codes/ol/ombpg-menu.html>
  - Permissible local ordinance guidance:  
[http://www.hcd.ca.gov/codes/mp/info\\_bulls/IB08-LocalOrdinances-4-21.pdf](http://www.hcd.ca.gov/codes/mp/info_bulls/IB08-LocalOrdinances-4-21.pdf)
  - Mobilehome and Special Occupancy Parks program:  
<http://www.hcd.ca.gov/codes/mp/>
  - Mobilehome Park Resident Ownership Program:  
<http://www.hcd.ca.gov/fa/mprop/>

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