
SENATE COMMITTEE ON HOUSING
Senator Nancy Skinner, Chair
2023 - 2024 Regular

Bill No:	AB 2022	Hearing Date:	7/2/2024
Author:	Addis		
Version:	5/16/2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Max Ladow		

SUBJECT: Mobilehome parks: emergency preparedness

DIGEST: This bill adds new requirements to the emergency preparedness plan and emergency procedures that mobilehome park owners or operators must adopt and comply with, to take effect June 1, 2025.

ANALYSIS:

Existing law:

- 1) Establishes the Mobilehome Parks Act (MPA) which requires the Department of Housing and Community Development (HCD), or a city, county, or city and county that assumes responsibility for the enforcement of the MPA, to enter and inspect mobilehome, with a goal of inspecting at least five percent of the parks per year, to ensure enforcement of the MPA and subsequent regulations.
- 2) Requires every mobilehome park to have a person available by telephonic or like means, who shall reasonably respond in a timely manner to emergencies concerning, the operation and maintenance of the park.
- 3) Requires every mobilehome park with 50 or more units to have the person described in 2) or their designee reside in the park, and requires them to have knowledge of emergency procedures relative to utility systems and common facilities under the ownership and control of the owner of the park, and to be familiar with the emergency preparedness plans for the park.
- 4) Requires an owner or operator of an existing park to adopt an emergency preparedness plan by September 1, 2010, and for a park constructed after September 1, 2010, requires a park owner or operator to adopt a plan prior to issuance of the permit to operate.

- 5) Allows a park owner or operator to comply with 4) by either of the following methods:
 - a) Adopting the emergency procedures and plans approved by the Standardized Emergency Management System Advisory Board on November 21, 1997, entitled “Emergency Plans for Mobilehome Parks,” and compiled by the Office of Emergency Services (OES) in compliance with the Governor’s Executive Order W-156-97, or any subsequent version; or
 - b) Adopting a plan that is developed by the park management and that is comparable to the procedures and plans specified in a).
- 6) Requires a park owner or operator to do both of the following in every park:
 - a) Post notice of the emergency preparedness plan in the park clubhouse or in another publicly accessible area within the mobilehome park; and
 - b) Provide notice annually to all existing residents of how to access the plan and information on individual emergency preparedness contained therein and how to obtain the plan in a language other than English. Requires this notice to also be provided to all new residents upon approval of tenancy. Allows the provision of notice to be accomplished in a manner that includes, but is not limited to, distribution of materials and posting notice of the plan or information on how to access the plan via the internet.
- 7) Requires an enforcement agency to determine whether park management is in compliance with 2) – 6) and allows the agency to ascertain compliance by receipt of a copy of the emergency preparedness plan during site inspections conducted in response to complaints of alleged violations, or for any other reason.
- 8) Provides that, notwithstanding any other provision of the MPA, a violation of 2) – 6) shall constitute an unreasonable risk to life, health, or safety and must be corrected by park management within 60 days of notice of the violation.
- 9) Requires an enforcement agency, if it determines upon inspection that a mobilehome park is in violation of any provision of the MPA or any rule or regulation adopted under the MPA, to promptly issue a notice to correct the violation to the park owner or operator and to the responsible person, as defined.
- 10) Allows an enforcement agency to suspend a permit if any person who holds a permit to operate violates the permit or the MPA. The agency must notify the permittee that unless these violations have been corrected within 30 days after

the date of notice, the permit shall be subject to suspension. The agency must reinstate the permit or issue a new permit to operate upon compliance by the permittee with the provisions of the MPA and of the notice.

This bill:

- 1) Requires there to be a person or designee in every park with 50 or more units who resides in the park and has knowledge of emergency procedures relative to accessibility for utility systems, including, but not limited to, gas lines, hydrants, water systems, and electrical components, and access to park entrances and exits, in addition to existing law requirements related to the person being familiar with common facilities and the emergency preparedness plans for the park.
- 2) Requires, on or before June 1, 2025, an owner or operator of an existing park to adopt an emergency preparedness plan in accordance with the requirements of this bill prior to or at the time of submission of the renewal of its permit to operate.
- 3) Requires, for a park constructed after June 1, 2025, a park owner or operator adopt a plan in accordance with this bill prior to the issuance and renewal of its permit to operate.
- 4) Requires a park owner or operator to comply with 2) or 3), as applicable, by adopting an emergency preparedness plan that includes all of the following:
 - a) An attestation by a park owner or manager of compliance with this bill, a copy of which must be attached to its request to obtain or renew a permit to operate;
 - b) Identification of all accessible points of park entry or exit;
 - c) Identification of an agent of park management, a park manager, or a volunteer designee resident who will be available to residents to ensure points of entry and exit are not locked or otherwise obstructed in the event of an emergency;
 - d) A copy of the Private Fire Hydrant Test and Certification Report and an attestation that all hydrants are operable and accessible to emergency personnel in the event of an emergency;
 - e) A written statement that a person with professional knowledge or expertise has inspected the gas system within the park and that such system is in working order and accessible to emergency personnel and park management or a volunteer designee resident at all times in the event gas shut off is necessary; and
 - f) Identification of an agent of park management, a park manager, or volunteer

designee resident who will be available to help facilitate evacuation according to the standards set forth in the emergency plan.

- 5) Requires a park owner or operator to provide notice annually to all existing residents of how to access the emergency preparedness plan and information on individual emergency preparedness contained therein and how to obtain the plan in a language other than English.
- 6) Requires the notice in 5) to be provided to all new residents upon approval of tenancy.
- 7) Requires the notice in 5) to be accomplished in a manner that includes, but is not limited to, distribution of materials to each household on an annual basis, posting notice of the plan in the most accessible common area in the park that is open and available to all residents, and providing information on how to access the plan and request a written copy via the internet.
- 8) Requires an enforcement agency to determine whether park management is in compliance with this bill, and requires them to ascertain compliance with this bill by receipt of a copy of the plan during its review of the application for or renewal of a park's permit to operate, site inspections conducted in response to complaints of alleged violations, or other reasons deemed appropriate by the agency.
- 9) Provides, notwithstanding any other provisions of the MPA, that a violation of this bill shall constitute an unreasonable risk to life, health, or safety and must be corrected by park management within 60 days of the notice of violation.
- 10) Provides that if the violation under 9) is not corrected within 60 days of notice of the violation, the enforcement agency shall refuse to issue or renew a permit to operate and impose formal penalties.
- 11) Requires park management to submit a written statement of compliance with the emergency preparedness plan under penalty of perjury if management does not correct a violation within 60 days of notice and formal penalties are issued by the enforcement agency before the issuance and renewal of the park's permit to operate.
- 12) Provides that the bill will take effect July 1, 2025.

COMMENTS:

- 1) *Author's Statement.* "In recent years, our communities have faced unprecedented storms and wildfires that have caused devastating damage and

loss of life. This was especially the case for residents in mobilehome parks and those living in high-risk flood zones. Unfortunately, these types of disasters are becoming a seasonal and reoccurring issue that affects our constituents across the state. AB 2022 is an essential, preventative measure to ensure that our communities and neighbors can react, respond, and find safety during emergencies. Requiring these emergency preparedness plans to include more necessary information for evacuating residents will help save the lives of some of our most vulnerable citizens. We need to be pragmatic and take the right steps to protect all of our neighbors, regardless of the type of housing they live in. AB 2022 does just that.”

- 2) *Background.* More than 1 million people live in California's approximately 4,500 mobilehome parks. Mobilehomes are not truly mobile, in that it is often cost prohibitive to relocate them. The cost to move a mobilehome ranges from \$2,000 to upwards of \$20,000 depending on the size of the home and the distance traveled. A mobilehome owner whose home is located in a mobilehome park does not own the land the unit sits on, and must pay rent and fees for the land and any community spaces to their parkowner, unless the park is collectively owned by the residents, in which case the Resident Ownership (RO) operates like a homeowners association. According to the Mobilehome Park Homeowners Alliance, California currently has 183 resident-owned parks, with an estimated 33,564 mobilehome spaces and another 1,300 recreational vehicle spaces.¹

The Mobilehome Residency Law (MRL) extensively regulates the relationship between landlords and homeowners who occupy a mobilehome park. HCD oversees several areas of mobilehome law, including health and safety standards, registration and titling of mobilehomes and parks, and, through the Mobilehome Ombudsman, assists the public with questions or problems associated with various aspects of mobilehome law.

- 3) *Mobilehome Parks Act.* The MPA requires HCD to regulate mobilehome parks to assure protection of the health, safety, and general welfare of all mobilehome park residents. Local agencies have the option of assuming enforcement authority of the MPA within their jurisdiction through agreement with HCD. Among these enforcement duties is performing health and safety inspections of parks.

The MPA also requires each mobilehome park to pay an annual fee and obtain a permit to operate from either HCD or the local enforcement agency. Operating permits last for a year and the enforcement agency has the ability to suspend an

¹ <https://mhphoa.com/ca/roc/>

operating permit in the event of substandard conditions at the park or other violations of the MPA. If a mobilehome park or an individual park resident is found to be in violation of the MPA, the law requires the enforcement agency to promptly issue a notice to correct the violation or violations identified in the agency's inspection to the park owner or operator, or to the registered owner of the mobilehome.

If the park owner or operator does not correct the violations or otherwise violates the terms of their operating permit, the enforcement agency must notify the permit holder of the specific terms or provisions they are violating, and provide a 30-day window for the permittee to come into compliance. If the 30 days elapses with no compliance, the enforcement agency can suspend the permit to operate. Current law declares it unlawful for any person to operate a park or collect rents without a valid permit.

4) *Emergency Planning in Mobilehome Parks.* Since a series of dangerous fires in 2008, and the subsequent adoption of SB 23 (Padilla, Chapter 551, Statutes of 2009), mobilehome park owners have been required to adopt emergency preparedness plans. The plan can either mimic an existing emergency plan compiled by OES, or can be a separate plan that is developed by park management but is comparable to the OES plan.² The plan must be posted in the park clubhouse or in a public area in the park, and park management must provide the plan to all new residents and provide notice each year to existing residents of how to access the plan, including in a language other than English. Existing law deems a violation of these provisions an unreasonable risk to life, health, or safety and requires violations to be corrected by park management within 60 days of the notice of violation. The law also requires there to be a person in every park available by phone or in person who must reasonably respond in a timely manner to emergency concerning the operation and maintenance of the park. In parks with 50 or more units, the person must reside in the park and have knowledge of emergency procedures relative to the park's utility systems and common facilities, and they must be familiar with the emergency preparedness plan.

5) *New emergency planning requirements.* This bill would expand existing emergency planning requirements in multiple ways, including the adoption of both the OES plan and a new, expanded plan by July 1st, 2025. This expanded requires identification of accessible points of park entry and exit, identification of an agent or designee resident who can ensure these points of entry and exit, water, and gas systems are accessible in an emergency, a copy of the Private

² <https://www.caloes.ca.gov/wp-content/uploads/Preparedness/Documents/05-FEAT-EmergencyPlansforMobile-Home-ParksFEAT-doc.pdf>

Fire Hydrant Test and Certification Report, and statement of completed inspection of the gas system. If a park is found to be noncompliant with these new provisions they may have to add a statement signed under penalty of perjury before renewal of a permit to operate if formal penalties are issued by the enforcement agency. The additions in this new plan will further focus and clarify emergency preparedness requirements for mobilehome parks, particularly relating to accessibility around entries, exits, and utilities. The author may wish to consider extending these emergency preparedness updates to special occupancy parks, so that both mobilehome and special occupancy parks share the same emergency preparedness requirements.

- 6) *Opposition.* Opposition from park owners to AB 2022 question the bill's necessity as existing law already covers certain emergency preparedness requirements, particularly for an available designated person in the park. For example, they point to the training for such a designated person required by SB 869 (Levy, Chapter 662, 2022). They also suggest the bill is likely to lead to additional litigation against parkowners.

RELATED LEGISLATION:

AB 2247 (Wallis, 2024) — would extend the sunset date on the MPA from January 1, 2025 to January 1, 2030, and require a notice of violation to include information about the Manufactured Housing Opportunity and Revitalization (MORE) Program. *This bill is currently pending in the Senate Appropriations Committee.*

SB 869 (Levy, Chapter 662, 2022) — required HCD to adopt regulations to require training, as specified, for a person in a mobilehome or recreation park designated to address emergency preparedness procedures.

SB 23 (Padilla, Chapter 551, Statutes of 2009) — required an owner or operator of a mobilehome park or a recreational vehicle park to adopt and post notice of an emergency preparedness plan.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

POSITIONS: (Communicated to the committee before noon on Wednesday, June 26, 2024.)

SUPPORT:

Golden State Manufactured-Home Owners League (GSMOL) (Sponsor)

County of Monterey
Justice in Aging
59 Individuals

OPPOSITION:

California Mobilehome Parkowners Alliance
Western Manufactured Housing Communities Association

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