

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 05/25/2012
POSITION: Neutral

BILL NUMBER: SB 149
AUTHOR: Correa, Lou

BILL SUMMARY: Mobilehome Parks Act: Permit Invoice: Notice

This bill would require that the Department of Housing and Community Development (HCD), or local enforcement agency, to annually provide a mobilehome or special occupancy park operator notice of where the Mobilehome Residency Law and the Special Occupancy Residency Law can be obtained.

FISCAL SUMMARY

HCD indicates this bill would result in minor, absorbable costs to add a website link on the invoice for the annual permit to operate.

The bill does not impose a mandate on local governments because the Mobilehome Parks Act allows local governments who have opted to enforce the act to return responsibility to HCD at any time. However, it is unlikely that the minor costs associated with this bill would cause any local governments to return control.

SUMMARY OF CHANGES

Amendments to this bill since our analysis of the January 11, 2012 version are minor and do not alter our position. The May 25, 2012 version would require the notice to inform a park operator of where the Special Occupancy Residency Law can be obtained, and would impose the same requirements on operators of Special Occupancy Parks.

COMMENTS

The Department of Finance is neutral on the bill because it could provide useful information to mobilehome and special occupancy park operators, but does not have any significant fiscal effect on the HCD or local governments that enforce the Mobilehome Parks Act within their jurisdiction.

The Mobilehome Parks Act requires that operators of mobilehome parks comply with minimum health and safety standards and obtain an annual permit from the HCD. The Special Occupancy Park Act has similar requirements for parks that are occupied by recreational vehicles. Some local governments have been delegated enforcement of the Mobilehome Parks Act, but they have the option to return responsibility to the HCD.

Landlord tenant law governing residency in mobilehome and special occupancy parks is unique because a tenant owns the mobilehome or recreational vehicle which is placed on a rented lot. The Mobilehome Residency Law governs tenancies in mobilehome parks, and the Special Occupancy Residency Law governs tenancies in recreational vehicle parks. Both residency laws require that a park operator attach a copy of the residency law to each rental agreement and annually provide each resident with a copy.

The Senate policy analysis indicates the author's office believes that there may be many park operators that are unaware of the Mobilehome Residency Law. While the number of these operators may be small,

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BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

Correa, Lou

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COMMENTS (continued)

because many operators are members of a trade association provides this information through the association's website and educational programs, there may be a few operators who are unaware of where to obtain current copies of the Mobilehome Residency Law.

The Western Manufactured Housing Communities Association, which represents park operators, supports this bill. The residency laws are readily available on-line through multiple sources, included the HCD's website, as well as the websites of major industry groups.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)						Fund Code
	LA	(Dollars in Thousands)						
	CO	PROP						
	RV	98	FC	2012-2013 FC	2013-2014 FC	2014-2015		
2240/HCD	SO	No		----- No/Minor Fiscal Impact -----			0245	
8885/Comm St Mndt	SO	No		----- No/Minor Fiscal Impact -----			0001	
<u>Fund Code</u>	<u>Title</u>							
0001	General Fund							
0245	Mobilehome Park Revolving Fund							