

Senate Bill No. 940

CHAPTER 666

An act to amend Sections 798.7 and 798.45 of the Civil Code, relating to mobilehome parks.

[Approved by Governor September 28, 2022. Filed with
Secretary of State September 28, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

SB 940, Laird. Mobilehome parks: local ordinances.

Existing law, the Mobilehome Residency Law, prescribes various terms and conditions of tenancies in mobilehome parks. Existing law exempts new construction, defined as spaces initially held out for rent after January 1, 1990, from any ordinance, rule, regulation, or initiative measure adopted by a city or county, that establishes a maximum amount that a landlord may charge a tenant for rent.

This bill would specify that a mobilehome park space shall be considered “initially held out for rent” on the date of issuance of a permit or certificate of occupancy for that space, as specified. The bill would define “new mobilehome park construction” to mean all spaces contained in a newly constructed mobilehome park for which a permit to operate is first issued on or after January 1, 2023, as specified. The bill would limit the above-described exemption for new construction to a period of 15 years from the date upon which the space is initially held out for rent. The bill would create a new exemption for new mobilehome park construction, as defined, for a period of 15 years from the date upon which 50% of the spaces in the new mobilehome park are initially held out for rent measured from the date of issuance of a permit or certificate of occupancy for that space, as specified.

The people of the State of California do enact as follows:

SECTION 1. Section 798.7 of the Civil Code is amended to read:

798.7. (a) “New construction” means any newly constructed spaces initially held out for rent after January 1, 1990. A mobilehome park space shall be considered “initially held out for rent” on the date of issuance of a permit or certificate of occupancy for that space by the enforcement agency in accordance with Section 18551 or 18613 of the Health and Safety Code.

(b) “New mobilehome park construction” means all spaces contained in a newly constructed mobilehome park for which a permit to operate is first issued by the enforcement agency on or after January 1, 2023.

SEC. 2. Section 798.45 of the Civil Code is amended to read:

798.45. (a) Notwithstanding Section 798.17, “new construction,” as defined in subdivision (a) of Section 798.7, shall be exempt from any ordinance, rule, regulation, or initiative measure adopted by any city, county, or city and county, that establishes a maximum amount that a landlord may charge a tenant for rent, for a period of 15 years from the date upon which the space is initially held out for rent, as defined in subdivision (a) of Section 798.7.

(b) Notwithstanding Section 798.17, “new mobilehome park construction,” as defined in subdivision (b) of Section 798.7, shall be exempt from any ordinance, rule, regulation, or initiative measure adopted by any city, county, or city and county, that establishes a maximum amount that a landlord may charge a tenant for rent for a period of 15 years from the date upon which 50 percent of the spaces in the new mobilehome park are initially held out for rent measured from the date of issuance of a permit or certificate of occupancy for that space by the enforcement agency in accordance with Section 18551 or 18613 of the Health and Safety Code.