

# TOOLKIT

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## UNDERSTANDING YOUR RIGHTS AS A MOBILE HOME OWNER

The relationship between a mobile home owner and a mobile home park owner is unlike any other. Renters typically own their mobile home but rent the land where it's situated. Under California law, both the mobile home owner and mobile home park owner have rights and responsibilities. The law is difficult to navigate, so we reached out to Sen. Lou Correa, D-Santa Ana, chairman of the Senate Select Committee on Manufactured Homes and Communities, and Tim Sheahan, a vice president of the Golden State Manufactured-Home Owners League, for explanation.

### California Watch: What is the Mobilehome Residency Law?

**Sen. Lou Correa:** The "MRL" is California's landlord/tenant law for mobile home park residents. No other state has such a similar, comprehensive body of law.

**Tim Sheahan:** It goes beyond the rights of regular landlord/tenant law because of the captive nature of having a large and immobile financial investment affixed to someone else's land.

**CW: The Mobilehome Residency Law is a civil code. Who enforces it? If the law is being violated, what are the recourses for a mobile home owner?**

**LC:** California Civil Code is enforced through the courts system. Recourse for a mobile home owner who feels their rights have been violated under the MRL is to bring their case against the violator (either the park owner or manager, or another resident) before a judge, usually in the venue of small claims court.

**CW: Are the basic rights of mobile home owners protected under the Mobilehome Residency Law?**

**LC:** Basic residency rights – the right to live a reasonably peaceful existence – of mobile home owners are protected under the MRL. Other rights, such as personal safety, depending upon the case, may fall under the protection of the criminal code.

**CW: When it comes to park maintenance, who is responsible for maintaining the common areas?**

**LC:** The park owner is responsible for maintaining the common areas of a park. The common area amenities are listed in the resident's rental agreement. In the unusual case where a resident's actions may damage or compromise the common area, then the resident is liable for correcting the damage or restriction caused.

**CW: Does the park owner's responsibility include access to water and electricity?**

**LC:** Yes. Basic utilities are parkwide necessities. Some older parks distribute water and electricity through a master meter/submeter system. Newer parks are on an individual metered system, where each resident's home has a separate meter and receives a utility bill directly from the utility provider.

**TS:** Rental contracts are also supposed to specify services provided.

**CW: Can a park continue to collect rent if its permit to operate has been suspended?**

**LC:** If the state Department of Housing and Community Development has officially suspended the park's Permit to Operate, then the park cannot legally collect rent during the time of the suspension.

**CW: How do evictions work?**

**LC:** Because they are expensive, time consuming and emotionally wrenching, evictions are options of last resort for park owners. After the park owner has followed the provisions in the MRL for

notifying the resident of the violation and allowing the resident an opportunity to correct the violation, and if the resident has not corrected the violation, then the park owner may file an unlawful detainer lawsuit (eviction) against the resident. An eviction period typically lasts only 30 days. Once the resident receives the court-ordered eviction notice, the resident has five days to file a written response. If the court does not receive the resident's written response by the end of the fifth day, then the resident's eviction is typically guaranteed. Once the eviction judgment is issued by the court, and if the resident has not vacated the park, then the sheriff may be summoned to forcibly remove the resident from the park. Information on legal advocacy can be obtained from the court.

**TS:** If evicted, the homeowner is supposed to be given a reasonable period of time to find a buyer or to move the home.

**CW:** If a park is closing down, are there any special eviction steps that must be taken? Do they have to help with relocation?

**LC:** In jurisdictions where no permits are required to close a park, then the park must give residents at least a one-year written notice of termination of tenancy. Where local permits are required, the park must give residents a 15-day written notice that the park owner will appear before the local planning commission or board to request permits for a change of use. After approval of all permits, the park gives the residents a six-month notice of termination. In this case, the local jurisdiction may require the park to pay the reasonable relocation costs (determined by the local commission or board) of displaced residents.

**TS:** There are some steps and timetables that have to be followed. State law leaves it pretty open for local government to mitigate reasonable compensation for homeowners. Local ordinances can be adopted or provide zoning protection of the mobile home communities (to discourage closure) or protection against unfair rent increases.

**CW:** Can a park limit the amount of water or electricity a mobile home owner uses?

**TS:** A lot of our laws are based upon what might be considered "reasonable." If the park pays for water usage, it might be reasonable for them to restrict such things as outside watering, washing cars and driveways. Most homeowners pay for electricity, but because the utility infrastructure is so poor in some parks, some owners have restricted or prevented the use of such things as air conditioners, dishwashers, washing machines and clothes dryers because such appliances cause such a heavy electrical drain that it could create power outages. The park is required to meet the utility needs of every home at the time the home is installed.

**LC:** A park may request that residents scale back on usage during peak hours, as may be the case in some older parks that have smaller utility delivery systems. If a park shuts down utilities for a period long enough to cause a health and safety emergency, then the resident may contact the state Department of Housing and Community Development or the local health or building department, depending upon the agency that has enforcement jurisdiction. Part of California's diverse landscape is its vintage trailer parks that were established prior to the widespread availability of microwave ovens, hair dryers and plasma televisions. In the case of an appliance as seemingly as basic as a window-box air-conditioning unit, if all coaches are running theirs on high output during a heat wave, it could cause a serious strain on the park's electrical infrastructure.

**CW:** Do these laws apply to all mobile home residents?

**TS:** (Many Coachella Valley mobile home parks are on Indian land, and) Indian land is often considered sovereign, so state laws likely don't apply. So the feds have to be called in.

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## RESOURCES FOR MOBILE HOME OWNERS/WAYS TO GET INVOLVED

### California Rural Legal Assistance

Phone: 760-398-7261  
Write: 1460 6th St.  
Coachella, CA 92236  
E-mail: [www.crla.org/contact-us](http://www.crla.org/contact-us)  
Website: [www.crla.org](http://www.crla.org)  
Facebook: [www.facebook.com/CRLA.org](http://www.facebook.com/CRLA.org)

### Clinicas de Salud del Pueblo

Phone: 760-344-9951  
Write: 1166 K St.  
Brawley, CA 92227  
Website: [www.cdsdp.org](http://www.cdsdp.org)  
Clinic locations: [www.cdsdp.org/clinicsites.html](http://www.cdsdp.org/clinicsites.html)

### Coachella Valley Healthcare Initiative

Phone: 760-674-9992  
Write: Regional Access Project Foundation Inc.  
75-105 Merle Drive, Suite 800  
Palm Desert, CA 92211  
E-mail: [director@cvhi.org](mailto:director@cvhi.org)  
Website: [www.cvhi.org](http://www.cvhi.org)

### Golden State Manufactured-Home Owners League

Phone: 800-888-1727  
Write: 11021 Magnolia St.  
Garden Grove, CA 92841  
E-mail: [www.gsmol.org/contact](http://www.gsmol.org/contact)  
Website: [www.gsmol.org](http://www.gsmol.org)

### Promotores Comunitarios del Desierto

E-mail: [pcd.ecv@gmail.com](mailto:pcd.ecv@gmail.com)  
Facebook: [www.facebook.com/PCDECV](http://www.facebook.com/PCDECV)

### Latino Health Access

Phone: 714-542-7792  
Write: 450 W. Fourth St., Suite 130  
Santa Ana, CA 92701  
E-mail: [latinohealthaccess.net/contacts](http://latinohealthaccess.net/contacts)  
Website: <http://latinohealthaccess.net>

### Manufactured Home Owners Assoc. of America

Phone: 206-851-6385  
Write: 4395 S. Vagabond Drive

### Pueblo Unido CDC

Phone: 760-427-0985  
Write: P.O. Box 1130  
Thermal, CA 92274  
E-mail: [scarranza@pucdc.org](mailto:scarranza@pucdc.org)  
Website: [www.pucdc.org](http://www.pucdc.org)

## Key government agencies, officials

### U.S. Sen. Barbara Boxer

Phone: 213-894-5000  
Write: 312 N. Spring St., Suite 1748  
Los Angeles, CA 90012  
Website: <http://boxer.senate.gov>

### Bureau of Indian Affairs

Phone: 202-208-3710  
Write: Office of Public Affairs  
Department of the Interior  
MS-3658-MIB  
1849 C St. NW  
Washington, DC 20240  
Website: [www.bia.gov](http://www.bia.gov)

### California Department of Toxic Substances Control

Phone: 800-728-6942  
Write: P.O. Box 806  
Sacramento, CA 95812-0806  
Website: [www.dtsc.ca.gov](http://www.dtsc.ca.gov)

### Department of Housing and Community Development

Phone: 916-445-4782  
Write: 1800 Third St.  
Sacramento, CA 95811-6942  
E-mail: <http://hcd.ca.gov/comments>  
Website: <http://hcd.ca.gov>  
Office of Mobilehome Ombudsman: 800-952-5275

**U.S. Department of Housing  
and Urban Development**

Phone: 202-708-1112

Write: 451 7th St. SW

Washington, DC 20410

Website: [www.hud.gov](http://www.hud.gov)

Facebook: [www.facebook.com/HUD](http://www.facebook.com/HUD)

Twitter: <http://www.twitter.com/HUDnews>

**Environmental Protection Agency**

Phone: 415-947-8000

Write: U.S. EPA Region 9

75 Hawthorne St.

San Francisco, CA 94105

E-mail:

<http://www.epa.gov/epahome/hotline.htm>

**Mobile Home Tenant Loan  
Assistance Program  
(Riverside County Economic  
Development Agency)**

Phone: 760-863-2552

Write: 44-199 Monroe St., Suite B

Indio, CA 92201

**Riverside County Department of  
Environmental Health**

Phone: 888-722-4234

Write: 4065 County Circle Drive, Room 104

Riverside, CA 92503

Website: [www.rivcoeh.org](http://www.rivcoeh.org)

**Riverside County Transportation  
& Land Management Agency**

Phone: 951-955-4608

Write: P.O. Box 1629

Riverside, CA 92502-1629

Website: <http://www.rctlma.org>

**Senate Select Committee on  
Manufactured Homes and Communities**

Phone: 916-651-1517

Write: 1020 N. St., Room 520

Sacramento, CA 95814

Website: <http://mobilehomes.senate.ca.gov>